

MISSISSIPPI
BOARD OF TRUSTEES
OF STATE
INSTITUTIONS OF HIGHER LEARNING



FINAL BOARD BOOK
JANUARY 20, 2011



FINAL BOARD BOOK OUTLINE

January 20, 2011, 9:00 A.M.

Universities Center
3825 Ridgewood Road
Jackson, MS 39211

CALL TO ORDER

PRAYER

Trustee Stacy Davidson

INTRODUCTION OF GUESTS

MINUTES

November 18, 2010 Regular Board of Trustees Meeting Minutes
November 18, 2010 Jackson State University Board Search Committee Meeting Minutes
November 19, 2010 Alcorn State University Board Search Committee Meeting Minutes
November 22, 2010 Special Called Board Meeting Minutes
November 30, 2010 Special Called Board Meeting Minutes
December 1, 2010 Special Called Board Meeting Minutes

CONSENT AGENDAS

Trustee Betty Neely

BUDGET, FINANCE, AND AUDIT

1. IHL Executive Office – Approval of Software Licensing Agreement with Regional Economic Models, Inc. (REMI).....1
2. MSU – Approval to Escalate the Athletics Budget2
3. UMMC – Approval of Contractual Services Agreements with University Physicians, PLLC.....3

REAL ESTATE

Approval of Initiations of Projects/Appointments of Professionals

Bureau of Building Projects

1. MVSU – GS 106-237 – RW Harrison Renovation/Expansion – Phase I, Design Professional – N/A.....3

IHL Projects

2. UM – IHL 207-345 – University Housing, Design Professional – Cooke Douglass Farr Lemons + Eley Guild Hardy – A Joint Venture4
3. UMMC – IHL 209-539 – Lexington Hospital Renovations, Design Professional – The McCarty Group Company Design Group, P.A.6

Approval of Budget Increases and/or Changes of Scope

Bureau of Building Projects

4. MVSU – GS 106-230 – Stadium Seating Replacement, Design Professional – JBHM Architects7
5. UM – GS 107-302 – Lamar Hall Renovations, Design Professional – Barlow Eddy Jenkins.....8
6. UMMC – 109-195 – AED (Adult Emergency Department) Renovations 2010, Design Professional – Dale/Morris Architects.....10
7. USM – 108-217 – Science Building and Recreation Building Repair and Renovation – Gulf Park, Design Professional – Studio South Architects.....11

IHL Projects

8. UM – IHL 207-319 – Pre-Planning Tennis Facility, Design Professional – Eley Guild Hardy Architects13
9. UMMC – IHL 208-538 – 4th Floor Renovations – 764 Lakeland, Design Professional – Dale and Associates Architects.....14

Approval of Other Real Estate Requests

10. UM – Naming of New Law School “Robert C. Khayat Law Center”16
11. UM – Renaming of Old Chemistry Building to Brevard Hall.....17
12. UM – Delete from inventory and demolish Miller Hall18
13. UMMC – GS 109-195 AED Renovations 2010 – Sole Source18
14. UMMC – IHL 209-505 – Pediatric Emergency Renovations – Sole Source19
15. UMMC – IHL 209-532 Cardiovascular Renovations 2010 – Sole Source19
16. UMMC – IHL 209-535 Learning Resources Renovations 2010 – Sole Source.....20

LEGAL

1. UMMC – Approval to Renew Contract with James C. Mingee d/b/a The Mark It Place
and C. Paige Herring as Outside Counsel.....1
2. SYSTEM – Approval to Hire Cal Mayo as Outside Counsel.....1

PERSONNEL

1. Employment of Personnel (MSU), Rehired Retirees *ON* Contract FY 2011 (JSU, MSU),
Rehired Retirees *NOT* on Contract FY 2011 (MSU).....1
2. Change of Status (MSU, MVSU), Change of Status of Athletic Personnel with Multi-
Year Contract (UM).....2
3. Terminations (ASU, JSU).....3

PRESENTATION

Report on Ednet by Trustee Ed Blakeslee

REGULAR AGENDAS

BUDGET, FINANCE, AND AUDIT

Trustee Bob Owens

1. SYSTEM – Report on State Student Financial Aid for 20101
2. UMMC – Approval of Contractual Services Agreement with Parkway Joint Venture,
LLC1

REAL ESTATE
Trustees Doug Rouse

1. SYSTEM POLICY– Approval of Final Reading of Proposed New Board Policy 920 Sustainability Policy1
2. UMMC – Presentation of Campus Master Plan3

LEGAL
Trustee Alan Perry

1. MSU – Approval to Settle IHL Self-Insured Workers’ Compensation Claim1

ADMINISTRATION/POLICY
Commissioner Hank Bounds

1. SYSTEM – Election of Vice President of the Board.....1

INFORMATION AGENDAS
Commissioner Hank Bounds

REAL ESTATE

- SYSTEM- Real Estate Items Approved Subsequent to the November 18, 2010 Board Meeting
- Jackson State University2
 - Mississippi State University3
 - Mississippi University for Women.....5
 - Mississippi Valley State University6
 - University of Mississippi.....8
 - University of Mississippi Medical Center17
 - University of Southern Mississippi21
 - Education and Research Center.....23

LEGAL

- SYSTEM – Report of Payments to Outside Counsel1

ADMINISTRATION/POLICY

1. SYSTEM – Commissioners’ Notification of Approval.....1

2. SYSTEM – Individual to Serve on the Mississippi University Research Authority (MURA) in Accordance with the Mississippi University Research Authority Act and the MURA By-Laws.....4
3. ASU – Notice of Termination of Consulting Contract.....4

ADDITIONAL AGENDA ITEMS IF NECESSARY

RECONSIDERATION

OTHER BUSINESS/ANNOUNCEMENTS

The Budget, Finance and Audit Committee is scheduled to begin in the Board Room immediately following the conclusion of the Board meeting.

EXECUTIVE SESSION IF DETERMINED NECESSARY

ADJOURNMENT

MISSISSIPPI
BOARD OF TRUSTEES
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MINUTES FOR:

- November 18, 2010 Regular Board Meeting Minutes
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**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
November 18, 2010**

BE IT REMEMBERED, That the Board of Trustees of State Institutions of Higher Learning of the State of Mississippi met in a regular session at the Norman C. Nelson Student Union in the University of Mississippi Medical Center in Jackson, Mississippi, at 8:30 a.m., and pursuant to notice in writing mailed by certified letter with return receipt requested on December 3, 2009, to each and every member of said Board, said date being at least five days prior to this November 18, 2010 meeting. At the above-named place there were present the following members to wit: Mr. H. Ed Blakeslee, Dr. Stacy Davidson, Dr. Bettye Henderson Neely, Mr. Aubrey B. Patterson, Mr. Alan Perry, Ms. Christine Pickering, Ms. Robin J. Robinson, Dr. Douglas Rouse, Mr. C.D. Smith and Ms. Amy Whitten. Mr. Bob Owens and Mr. Scott Ross were absent. The meeting was called to order by Dr. Bettye Neely, President, and opened with prayer by Trustee C. D. Smith.

APPROVAL OF THE MINUTES

On motion by Trustee Robinson, seconded by Trustee Patterson, with Trustees Owens and Ross absent and not voting, all Trustees legally present and participating voted unanimously to approve the Minutes of the Board meetings held on October 20, 2010, October 21, 2010 and October 21-22, 2010.

CONSENT AGENDA

On motion by Trustee Whitten, seconded by Trustee Robinson, with Trustees Owens and Ross absent and not voting, all Trustees legally present and participating voted unanimously to approve the following Consent Agenda.

ACADEMIC AFFAIRS

1. **System** - Approved the following degrees to be conferred at the following levels in May 2010 provided each candidate has met all requirements for the degree.

Institution	Degree to be Conferred	Number	Subtotal	Total	
Delta State University					
	<i>College of Arts and Sciences</i>				
	Bachelor of Arts	18			
	Bachelor of Fine Arts	12			
	Bachelor of Music Education	2			
	Bachelor of Science	24			
	Bachelor of Science in Education	3			
	Bachelor of Science in Social Justice and Criminology	8			
	Bachelor of Science in Interdisciplinary Studies	15			
			82		
	<i>College of Business</i>				
	Bachelor of Business Administration	66			
	Bachelor of Commercial Aviation	12			

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
November 18, 2010**

Institution	Degree to be Conferred	Number	Subtotal	Total	
			78		
	<i>College of Education</i>				
	Bachelor of Arts	2			
	Bachelor of Science	43			
	Bachelor of Science in Education	18			
			63		
	<i>School of Nursing</i>				
	Bachelor of Science in Nursing	30			
			30		
	<i>School of Graduate Studies</i>				
	Master of Business Administration	29			
	Master of Commercial Aviation	10			
	Master of Education	106			
	Master of Arts in Teaching	7			
	Master of Professional Accountancy	6			
	Master of Science in Community Development	2			
	Master of Science in Social Justice and Criminology	3			
	Educational Specialist	27			
	Doctor of Education	2			
			192		
				445	
Jackson State University					
	<i>Undergraduate</i>				
	Bachelor of Arts	7			
	Bachelor of Business Administration	45			
	Bachelor of Social Work	12			
	Bachelor of Science	54			
	Bachelor of Science Education	3			
			121		
	<i>Graduate</i>				
	Master of Arts	1			
	Master of Arts in Teaching	2			
	Master of Business Administration	1			
	Master of Professional Accountancy	4			
	Master of Science	7			
	Master of Science in Education	8			
	Master of Science in Teaching	1			
	Master of Social Work	1			
	Specialist in Education	5			
	Doctor of Philosophy	6			
	Doctor of Public Health	1			

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
November 18, 2010**

Institution	Degree to be Conferred	Number	Subtotal	Total	
			37		
				158	
Mississippi State University					
	<i>College of Agriculture and Life Sciences</i>				
	Bachelor of Landscape Architecture	3			
	Bachelor of Science	67			
	Master of Landscape Architecture	3			
	Master of Science	25			
	Doctor of Philosophy	4			
			102		
	<i>College of Architecture, Art, and Design</i>				
	Bachelor of Architecture	20			
	Bachelor of Science	4			
	Master of Science	2			
			26		
	<i>College of Arts and Sciences</i>				
	Bachelor of Arts	113			
	Bachelor of Science	134			
	Bachelor of Social Work	6			
	Master of Arts	7			
	Master of Public Policy and Administration	9			
	Master of Science	16			
	Doctor of Philosophy	6			
			291		
	<i>College of Business</i>				
	Bachelor of Business Administration	188			
	Master of Business Administration	50			
	Master of Science in Business Administration	2			
	Doctor of Philosophy	1			
			241		
	<i>College of Education</i>				
	Bachelor of Science	176			
	Bachelor of Music Education	3			
	Master of Arts in Teaching	1			
	Master of Arts in Teaching Secondary	6			
	Master of Science	43			
	Master of Science in Instructional Technology	2			
	Educational Specialist	3			
	Doctor of Philosophy	13			
			247		

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
November 18, 2010**

Institution	Degree to be Conferred	Number	Subtotal	Total	
	<i>College of Engineering</i>				
	Bachelor of Science	103			
	Master of Engineering	3			
	Master of Science	39			
	Doctor of Philosophy	20			
			165		
	<i>College of Forest Resources</i>				
	Bachelor of Science	16			
	Master of Science	8			
	Doctor of Philosophy	7			
			31		
	<i>College of Veterinary Medicine</i>				
	Master of Science	1			
	Doctor of Philosophy	1			
			2		
	<i>School of Accountancy</i>				
	Bachelor of Accountancy	24			
	Master of Professional Accountancy	4			
	Master of Taxation	4			
			32		
				1137	
Mississippi University for Women					
	<i>Undergraduate</i>				
	Bachelor of Arts	18			
	Bachelor of Fine Arts	3			
	Bachelor of Music	2			
	Bachelor of Science	72			
	Bachelor of Science in Nursing	10			
			105		
	<i>Graduate</i>				
	Master of Arts in Teaching	4			
	Master of Education	2			
	Master of Science	10			
			16		
				121	
University of Mississippi					
	<i>College of Liberal Arts</i>				
	Bachelor of Arts	128			
	Bachelor of Science	7			
	Bachelor of Fine Arts	5			

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
November 18, 2010**

Institution	Degree to be Conferred	Number	Subtotal	Total	
			140		
<i>School of Engineering</i>					
	Bachelor of Science in Chemical Engineering	4			
	Bachelor of Science in Civil Engineering	11			
	Bachelor of Science in Computer Science	10			
	Bachelor of Science in Electrical Engineering	1			
	Bachelor of Science in Geological Engineering	10			
	Bachelor of Science in Mechanical Engineering	5			
	Bachelor of Engineering	1			
	Bachelor of Science	6			
			48		
<i>School of Education</i>					
	Bachelor of Arts in Education	69			
			69		
<i>School of Pharmacy</i>					
	Bachelor of Science in Pharmaceutical Sciences	1			
	Doctor of Pharmacy	6			
			7		
<i>School of Business</i>					
	Bachelor of Business Administration	211			
			211		
<i>School of Accountancy</i>					
	Bachelor of Accountancy	27			
			27		
<i>School of Applied Sciences</i>					
	Bachelor of Science in Criminal Justice	26			
	Bachelor of Science in Exercise Science	12			
	Bachelor of Social Work	9			
	Bachelor of Science	25			
	Bachelor of Science in Family and Consumer Sciences	3			
	Bachelor of Paralegal Studies	4			
			79		
<i>School of Journalism and New Media</i>					
	Bachelor of Arts	1			
	Bachelor of Arts in Journalism	25			
			26		
<i>Graduate School</i>					
	Master of Arts	33			
	Master of Science	38			

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
November 18, 2010**

Institution	Degree to be Conferred	Number	Subtotal	Total	
	Master of Accountancy	6			
	Master of Business Administration	11			
	Master of Taxation	3			
	Master of Education	51			
	Master of Music	1			
	Master of Criminal Justice	1			
	Specialist in Education	26			
	Doctor of Education	1			
	Doctor of Philosophy	50			
			221		
Law School					
	Juris Doctor	13			
			13		
				841	
University of Mississippi Medical Center					
Undergraduate					
	Bachelor of Science in Clinical Laboratory Sciences	10			
	Bachelor of Science in Health Sciences	18			
	Bachelor of Science in Nursing	1			
			29		
Graduate/Professional					
	Master of Science	17			
	Master of Science in Nursing	9			
	Master of Occupational Therapy	1			
	Doctor of Philosophy	7			
	Doctor of Physical Therapy	1			
			35		
				64	
University of Southern Mississippi					
College of Arts and Letters					
	Bachelor of Arts	99			
	Bachelor of Fine Arts	13			
	Bachelor of Interdisciplinary Studies	33			
	Bachelor of Music	2			
	Bachelor of Music Education	5			
	Bachelor of Science	12			
	Master of Arts	18			

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
November 18, 2010**

Institution	Degree to be Conferred	Number	Subtotal	Total	
	Master of Art Education	2			
	Master of the Arts in Teaching of Languages	3			
	Master of Music Education	2			
	Master of Music	2			
	Master of Science	15			
	Doctor of Musical Arts	3			
	Doctor of Philosophy	16			
			225		
<i>College of Business</i>					
	Bachelor of Science	11			
	Bachelor of Science in Business Administration	183			
	Master of Business Administration	3			
	Master of Professional Accountancy	3			
			200		
<i>College of Education and Psychology</i>					
	Bachelor of Arts	9			
	Bachelor of Science	167			
	Master of Arts	6			
	Master of Arts in Teaching	1			
	Master of Education	7			
	Master of Library and Information Science	25			
	Master of Science	11			
	Specialist in Education	6			
	Doctor of Education	3			
	Doctor of Philosophy	21			
			256		
<i>College of Health</i>					
	Bachelor of Arts	12			
	Bachelor of Science	87			
	Bachelor of Social Work	11			
	Master of Public Health	19			
	Master of Science	23			
	Master of Social Work	9			
			161		
<i>School of Nursing</i>					
	Bachelor of Science in Nursing	79			
	Master of Science in Nursing	41			
			120		

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
November 18, 2010**

Institution	Degree to be Conferred	Number	Subtotal	Total	
	<i>College of Science and Technology</i>				
	Bachelor of Arts	28			
	Bachelor of Science	117			
	Master of Science	36			
	Doctor of Philosophy	18			
			119		
				1161	
System Total					
					3927

BUDGET, FINANCE AND AUDIT

2. **UMMC** - Approved the request to enter into an agreement with INO Therapeutics, LLC d/b/a IKARIA to provide pharmaceutical medical grade gas. The contract length is one year - December 1, 2010 to November 30, 2011. The total cost for the contract period is \$1,444,440. The contract will be funded by hospital patient revenue. A copy of the agreement which has been reviewed and approved by the Attorney General's Office is available at the Board Office.
3. **UMMC** - Approved the forty-fifth (45th) amendment to the lease agreement with Jackson Medical Mall Foundation to renovate 6,800 square feet of the currently leased 41,646 square feet of space occupied by the Department of Radiation Oncology. The contract length is seven years - December 1, 2010 to December 31, 2017. The cost per square foot for the total 41,646 square feet will increase from \$20.37 to \$22.07 during the seven-year period to cover the renovation costs. The annual cost is \$919,127.22, and the total cost for the lease period is \$6,433,890.54. The increase will be \$70,798.20 per year or \$495,587.40 over the seven-year term. After the seven-year period expires the cost per square foot will revert back to the \$20.37. The contract will be funded by hospital patient revenue. A copy of the agreement which has been reviewed and approved by the Attorney General's Office is available at the Board Office.
4. **UMMC** - Pending approval by the Attorney General's Office, the Board approved the request to replace the existing lease with the Jackson Medical Mall Foundation (JMMF) with a new Master Lease that consolidates UMMC's leases and utility payments for the Mall. The length of the agreement is twenty years - January 1, 2011 to December 31, 2031 with possible extensions upon terms and conditions satisfactory to both parties and upon approval by the Board. Future rental costs will vary depending on the interest rate agreed on between the lender and JMMF. Based on the term sheet, refinancing and new debt will be with variable rate demand obligations with a synthetic fixed rate through an interest rate swap. Both the swap and the bonds will be held entirely by Chase Bank. The projected lease payments based on a 4.25 percent interest rate provided by Chase Bank are shown in the bound *November 18, 2010 Board Working File*. Final debt service coverage covenant requirements will depend on the final terms of the lease opt-out provisions for UMMC. The master lease will be funded by hospital revenue, grant funds, and/or state appropriations. A copy of the agreement is available at the Board Office.
5. **UMMC** - Approved the request to extend the lease agreement with Stericycle, Inc. for disposal of medical and pathological waste. The contract is being extended by two years - December 1, 2009 to November 30, 2011. The total life of the contract including the extension is December 1, 2006

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
November 18, 2010**

- to November 30, 2011. The original contract was approved at a total cost of \$1 million. There is no cost for the extension. The agreement will be funded by state appropriated funds. A copy of the agreement which has been reviewed and approved by the Attorney General's Office is available at the Board Office.
6. **UMMC** - Approved the request to enter into a license agreement with University HealthSystem Consortium for the use of its clinical comparative databases. The length of the contract is one year - December 1, 2010 to November 30, 2011. The total agreement cost is \$257,000 and will be funded by hospital patient revenue. A copy of the agreement which has been reviewed and approved by the Attorney General's Office is available at the Board Office.
 7. **USM** - Approved the request to extend the existing contract with International Sports Properties, Inc. to provide licensing services for USM athletic properties. The existing contract is scheduled to expire on June 30, 2017. The amendment will become retroactively effective as of July 1, 2010, and will extend the length of the contract by an additional three years through June 30, 2020. USM's projections are to receive \$4.233 million over the three-year extended period and a total of \$11.83 million over the life of the amended agreement. A table showing the projected revenue forecast to the university is included in the bound *November 18, 2010 Board Working File*. A copy of the agreement which has been reviewed and approved by the Attorney General's Office is available at the Board Office.
 8. **USM** - Approved the request to enter into a lease agreement with New Cingular Wireless PCS, LLC for approximately 440 square feet of equipment space and for antenna space in M. M. Roberts Stadium. The total term of the agreement is fifteen years beginning on the date the agreement is signed. The term will include an initial five-year period and thereafter two additional five-year automatic renewals. The total revenue generated by the agreement will be \$333,360. USM will receive a monthly rental fee of \$1,600 for the first five years of the agreement. In the first year of each renewal term the monthly rental fee will increase by fifteen (15) percent over the monthly rental fee of the previous term. Thus, the monthly rental fee for the first renewal term will be \$1,840 and the monthly rental fee for the second renewal term will be \$2,116. A copy of the agreement which has been reviewed and approved by the Attorney General's Office is available at the Board Office.

REAL ESTATE

9. **MSU** - Approved the initiation of **IHL 205-255, Arbor Hall**, and the appointment of LPK Architects, P.A. as design professionals. The project shall consist of a new residence hall to house 388 beds in approximately 135,000 square feet. This project will be a site adaptation of the new South Residence Hall that has just been completed and occupied. The site adaptation will incorporate minor changes in the existing design to include approximately 30 more beds. It will save the university time and money as well as allow the university to house additional students by August 2012. The projected budget is \$23,653,017. Funds are available from MSU EBC Bonds (\$23,653,017).
10. **UM** - Approved the initiation of **IHL 207-342, University Housing**. The project will provide full design services for a university-based student housing building(s) with the number of beds anticipated by the university being approximately 700 beds. The projected budget is \$32 million. Design costs will be funded from Auxiliary (Student Housing) Funds. Construction Costs will be covered by a combination of Auxiliary Funds and UM EBC bond proceeds.

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
November 18, 2010**

11. **UM** - Approved the initiation of **IHL 207-343, Welcome Center (Pre-Plan)**, and the appointment of Shafer & Associates as design professionals. It is anticipated that the building will serve as a first destination for prospective students, parents, and visitors to the university. The building will contain meeting spaces, an auditorium, offices, counseling space, and a communications hub for fund raising activities. The projected budget is \$200,000 for the pre-planning phase. Funds are available from internal R&R funds (\$200,000).
12. **JSU** - Approved the change in scope of **GS 103-255, Fire Suppression System Phase I**, as well as increase the project budget from \$1.2 million to \$7,360,000 for an increase in the amount of \$6,160,000. The budget increase is necessary in order to allow for a change in scope of the project which will add mechanical system upgrades to the installation of a fire suppression system for residence halls on campus. Funds are available from HB 246, Laws of 2007 (\$2,300,000); HB 1722, Laws of 2009 (\$1,200,000); HB 1701, Laws of 2010 (\$3,860,000).
13. **USM** - Approved the request to change the scope for **GS 108-235, College Hall Renovation**. The university has chosen to change the program and designate the building the new home of the Mass Communications Department immediately prior to the bidding phase of the renovation project. The professional is going to be paid additional services to re-plan the majority of the design. This is mainly an interior renovation project. The project budget is \$6,252,302.68. Funds are available from SB 3197, Laws of 2002; SB 2988, Laws of 2003; SB 2010 Laws of 2004; HB 246, Laws of 2007; HB 1641, Laws of 2008; HB 1634, Laws of 2006.
14. **UM** - Approved the request to change the scope for **IHL 207-341, Thad Cochran Natural Center Phase II**, as well as increase the project budget from \$23,322,620 to \$31,801,620 for an increase in the amount of \$8,479,000. Additional federal funds have become available to allow the university to proceed with the project and begin the construction document phase. In order to utilize the additional \$8.5 million in federal funds, the project budget will increase. Funds are available from Federal Grant Funds #C76HF10917 (\$17,886,175); NIH/NCRR [ARRA] (\$13,915,445).
15. **MSU** - Approved the request to delete Building #2130 (Faculty House) from inventory and demolish it. The house has significant structural issues due to past termite damage, making it currently unstable and uninhabitable. The building would be demolished following notification to the Mississippi Department of Environmental Quality. The approval letter has been received from the Mississippi Department of Archives and History. All legal documentation will be kept on file in the Office of Real Estate and Facilities at the Board Office.
16. **MSU** - Approved the exterior design for the Stoneville Office Building. The project is intended to construct a new office building at the Delta Research and Extension Center in Stoneville. The office building will be approximately 20,000 square feet and will contain offices, work rooms, and library space. Funds are available from MAFES Sales Funds (\$1,795,000) and MSU ES State Funds (\$1,205,000). A copy of the rendering is included in the bound *November 18, 2010 Board Working Files*.
17. **UM** - The Board approved this item pending approval by the Attorney General's Office of the inclusion of an amendment to the purchase contract which requires Whirlpool Corporation to assume all risk and fully indemnify the University of Mississippi and IHL from any present or future liability resulting from the contamination of this property by the hydraulic fluid presently accumulated on a portion of the site. Pending approval as noted, the Board approved the request to purchase from Whirlpool Corporation approximately 68.72 acres plus all the existing improvements, fixtures, and appurtenances on the property located contiguous to university property. This property has utilities and infrastructure on-site and is contiguous to property currently owned by the

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
November 18, 2010**

university known as the "Hathorn Property." The Environmental Report as required by Board Policy indicates a contamination of hydraulic fluid in an area of the site that is approximately 1600 square feet. Whirlpool Corporation has signed a Brownfield Agreement with Mississippi Department of Environmental Quality (MDEQ) and in so doing has taken responsibility for the contamination and voluntarily agreed to remediate the site under an MDEQ-approved Corrective Action Plan. The staff of the Mississippi Commission on Environmental Quality has evaluated the Brownfield Agreement and believes that, with the conditions and restrictions contained within the Brownfield Agreement, the site will be in compliance with all State and Federal laws and standards and will be protective of the public health and environment once the Brownfield Agreement is completed. Funds are available from internal R&R funds (\$3,400,000).

18. **UMMC** - Approved the request to amend the consulting agreement with Cooke Douglass Farr and lemons Architects and Engineers P.A. (CDFL) to provide additional architectural and engineering planning, design and management services regarding UMMC's Master Plan objectives. The original contract was for the period April 1, 2010 to June 30, 2011, and was executed on April 6, 2010. The total contract cost is \$695,000 (\$245,000 previously approved, of which \$229,487 has been paid out). The Board also approved the additional cost of \$450,000. Funds are available from general funds. The Attorney General's Office has reviewed and approved the documents pertaining to this item.

LEGAL

19. **MSU** - Pending approval by the Attorney General's Office, the Board approved the request to renew a contract with the firm of DAVID WARE & ASSOCIATES, L.L.C., located in Jackson, Miss., Metairie and Baton Rouge, La., and Pensacola, Fla., to provide services necessary in preparing labor certification applications on behalf of the University for its employees who seek permanent residence status. This contractual agreement is necessary due to amendments by the U.S. Department of Labor to the permanent labor certification regulations, specifically: the employers are required to pay the cost of preparing, filing, and obtaining certification, and employers are prohibited from transferring those costs to the beneficiary. This includes a prohibition on the alien paying the employer's attorney fees. The rule does allow an alien to pay his or her own personal costs incurred in connection with a labor certification, including attorney fees for personal legal representation, but where the same attorney represents both the alien and the employer, the costs must be borne by the employer. The term of the contractual agreement will be for one (1) year, for a maximum amount payable of \$50,000 during contract term. The rate/fee structure has not changed from the initial contract and is shown in the bound *November 18, 2010 Board Working File*.
20. **UM** - Approved the request to execute deeds of trust of leasehold interest in favor of Bank of Oxford to the Mississippi Alpha Housing Corporation of Sigma Phi Epsilon Fraternity which holds an existing lease on Lot No. 309 on the Oxford Campus which expires on March 31, 2052. The house corporation wishes to refinance its existing debt on its improvements which is presently secured by two deeds of trust, obtained with the approval of the IHL. To that end, Bank of Oxford has agreed to loan the house corporation a total of \$360,000 through two debt instruments secured by two deeds of trust. The first loan in the amount of \$260,000 is payable in monthly installments with a fixed interest rate of 6.25% for five years, but is amortized over 8 years with a final balloon payment. The second loan in the amount of \$100,000 is an open-ended line of credit at a 6.25% fixed interest rate for one year, with a single payment.

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
November 18, 2010**

PERSONNEL REPORT

EMPLOYMENT

Mississippi State University

Scheiner, James H.

Mississippi University for Women

Ruby, Roy

Mississippi University for Women

Rehired retirees making more than \$20,000 who ARE on employment contracts during Fiscal Year 2011

- William L. Bateman, *former position:* MSU Professor; *re-employment position:* MUW Professor of Economics; *re-employment period* – FY 2011; annual salary of \$22,615
- Linda Cox; *former position:* Director of BSN; *re-employment position:* Assistant Professor of Nursing; *re-employment period* – FY 2011; annual salary of \$34,999
- Bobby Fuller; *former position:* Elementary School Principal in Starkville, MS; *re-employment position:* Assistant Professor of Educational Leadership; *re-employment period* – FY 2011; annual salary of \$25,000

Jackson State University

Rehired retirees making more than \$20,000 who are NOT on employment contracts during Fiscal Year 2011

- Hill Williams; *former position:* Associate Professor/Chair, Department of Health, Physical Education and Recreation; *previous salary*, \$83,568; *re-employment position:* Interim Director, Sports Science Program, Department of Health, Physical Education and Recreation; *re-employment period* November 1, 2010 - September 30, 2011; *salary* \$36,230
- Mandy Strong-White; *former position:* Instructor of Service Learning; *previous salary:* \$10,500; *re-employment position:* Service Learning/Faculty Liaison; *re-employment period:* November 1, 2010 – September 30, 2011; *salary:* \$26,000

Mississippi State University

Rehired retirees making more than \$20,000 who are NOT on employment contracts during Fiscal Year 2011

- Jean Mann, *former position:* Assistant Operations Coordinator; *re-employment position:* Alcohol Field Staff Specialist; *re-employment period:* August 30, 2010 through June 30, 2011; salary of \$25,000
- James Lesley, *former position:* Associate Professor and Director of Choral Activities; *re-employment position:* Director of Choral Activities; *re-employment period:* August 16, 2010 through June 30, 2011; salary of \$38,588
- E.C. O’Neal; *former position:* Professor; *re-employment position:* Professor; *re-employment period:* August 16, 2010 through June 30, 2011; salary of \$22,500
- Linda Buehler, *former position:* Academic Coordinator; *re-employment position:* Coordinator; *re-employment period:* September 7, 2010 through June 30, 2011; salary of \$25,000
- Bernice Hodge, *former position:* Professor; *re-employment position:* Lecturer; *re-employment period:* September 1, 2010 through June 30, 2011; salary of \$48,889

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
November 18, 2010**

- Thomas Berry, *former position:* Building Services Coordinator; *re-employment position:* Building Services Coordinator; *re-employment period:* September 1, 2010 through June 30, 2011; salary of \$23,496
- Debra Fairbrother, *former position:* Administrative Assistant II; *re-employment position:* Administrative Assistant II; *re-employment period:* September 1, 2010 through June 30, 2011; salary of \$25,213
- Pamela Mottley, *former position:* Technical Assistant; *re-employment position:* Technical Assistant; *re-employment period:* September 16, 2010 through June 30, 2011; salary of \$26,250
- Cheryl Mueller, *former position:* Coordinator; *re-employment position:* coordinator; *re-employment period:* September 16, 2010 through June 30, 2011; salary of \$24,960
- Susmita Parikh, *former position:* Research Associate III; *re-employment position:* Research Associate III; *re-employment period:* October 1, 2010 through June 30, 2011; salary of \$24,267
- Raymond Werthner, *former position:* Teacher-Jackson County Schools; *re-employment position:* Lecturer; *re-employment period:* August 16, 2010 through June 30, 2011; salary of \$40,000
- Wanda Lee, *former position:* Administrative Assistant to the Provost; *re-employment position:* Administrative Assistant to the Provost; *re-employment period:* September 22, 2010 through June 30, 2011; salary of \$28,763
- William Bishop, *former position:* County Extension Director III; *re-employment position:* County Extension Director III; *re-employment period:* September 16, 2010 through June 30, 2011; salary of \$34,018
- Roy Higdon, III, *former position:* Area Extension Agent IV; *re-employment position:* Area Extension Agent IV; *re-employment period:* September 16, 2010 through June 30, 2011; salary of \$34,152
- Thomas Keene, *former position:* Area Extension Agent III; *re-employment position:* Area Extension Agent III; *re-employment period:* September 16, 2010 through June 30, 2011; salary of \$26,807
- Diane Reynolds, *former position:* English Teacher; *re-employment position:* Lecturer; *re-employment period:* August 16, 2010 through June 30, 2011; salary of \$32,010

Mississippi University for Women

Rehired retirees making more than \$20,000 who are NOT on employment contracts during Fiscal Year 2011
Suzanne Bean; *former position:* Professor of Education and Director of the Roger F. Wicker Center for Creative Learning; *re-employment position:* Community Liaison; *re-employment period* – FY 2011; annual salary of \$31,850

University of Southern Mississippi

Rehired retirees making more than \$20,000 who are NOT on employment contracts during Fiscal Year 2011
Jon Mark Weathers; University Counsel; Office of University Counsel; salary of \$150,000 per annum, pro rata; E&G Funds; effective November 15, 2010.

CHANGE OF STATUS

Alcorn State University

Hinton, Carolyn

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
November 18, 2010**

Mississippi State University
Jackson, Gary B.

Mississippi State University - Athletics

- Louis Clay Homan; Men's Head Golf Coach, Athletics; *from* contract period of July 1, 2007 to June 30, 2012; salary of \$74,403 per annum, pro rata; Auxiliary Funds; *to*, effective July 1, 2010, contract extension through June 30, 2014; no change in salary
- In October 2010, the Board approved a personnel item for Jerry S. Dudley. The item is approved as resubmitted with a correction to the salary source of funds (from E&G Funds *to* Auxiliary) and new salary amount (from \$70,000 *to* \$75,000). All other information noted below remains the same as previously approved. — Jerry S. Dudley, *from* Associate Women's Track and Head Cross Country Coach, Athletics, salary of \$56,353; Auxiliary Funds; *to*, effective November 1, 2010, Head Coach, Athletics Track and Field, salary of \$75,000 per annum, pro rata, Auxiliary Funds; contract end date of October 31, 2014

University of Mississippi

Joseph P. Walker Jr.; Head Men's Track Coach and Head Women's Track Coach; Athletics; salary of \$111,090, per annum, pro rata; Auxiliary Funds; from a contract period of July 1, 2010 to June 30, 2011; *to*, effective September 1, 2010, contract extension through June 30, 2012; no change in salary

SABBATICAL

Mississippi State University

(change in sabbatical approved in March 2010)
Kim, Seong-Gon

ACADEMIC AFFAIRS

Presented by Ms. Robin Robinson, Chair

On motion by Trustee Robinson, seconded by Trustee Whitten, with Trustees Owens and Ross absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda item #1 as submitted on the following Academic Affairs Agenda. On motion by Trustee Robinson, seconded by Trustee Davidson, with Trustees Owens and Ross absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda item #2.

1. **System** - Approved the proposed amendments to Board Policy 602 Freshman Admission Requirements for University System Institutions for final reading. (**See Exhibit 1.**)
2. **System** - Approved the proposed amendments to Board Policy 605 Proof of Immunization for final reading, as shown below:
605 PROOF OF IMMUNIZATION
 - A. Measles, Mumps, and Rubella

Proof of immunization of measles, mumps, and rubella is required (two doses of the MMR vaccine) of all students, unless exempt because of (a) actual or suspected pregnancy (measles or rubella vaccines are not

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
November 18, 2010**

required for females who are pregnant; if pregnancy is suspected, a valid certificate of medical exception from a health provider is required until pregnancy is resolved), (b) medical contraindication, or (c) birth prior to 1957. Temporary waivers may be granted for students enrolled in distance learning courses and/or programs where their time on campus is limited to a minimum number of hours as determined by the admitting IHL institution.

B. HEPATITIS B

Proof of hepatitis B vaccination is required for students who are involved in health education programs that cause them to be potentially exposed to blood or other bodily fluids.

C. TUBERCULOSIS

Proof of test screening for tuberculosis by chest x-ray is required for all international students.

BUDGET, FINANCE & AUDIT AGENDA

Presented by Commissioner Hank Bounds

On motion by Trustee Whitten, seconded by Trustee Blakeslee, with Trustees Owens and Ross absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda items #1 - #3 as submitted on the following Budget, Finance & Audit Agenda.

1. **System** - Approved the revisions to the Rules and Regulations and Contract and Note for the Nursing Education Loan/Scholarship Program. A copy of the revisions which have been reviewed and approved by the Attorney General's Office is included in the bound *November 18, 2010 Board Working File*.
2. **System** - Approved the revisions to the Rules and Regulations for the Mississippi Resident Tuition Assistance Grant (MTAG). A copy of the revisions which have been reviewed and approved by the Attorney General's Office is included in the bound *November 18, 2010 Board Working File*.
3. **System** - Approved the revisions of the Rules and Regulations for the Mississippi Eminent Scholars Grant (MESG). A copy of the revisions which have been reviewed and approved by the Attorney General's Office is included in the bound *November 18, 2010 Board Working File*.

REAL ESTATE AGENDA

Presented by Dr. Doug Rouse, Chair

On motion by Trustee Rouse, seconded by Trustee Robinson, with Trustees Owens and Ross absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda item #1 as submitted on the following Real Estate Agenda. On motion by Trustee Robinson, seconded by Trustee Davidson, with Trustees Owens and Ross absent and not voting, all Trustees legally present and participating voted unanimously to approve the Real Estate Committee's recommendation to approve the FY 2012 funding request that consists of the top five facilities needs requests as submitted by the eight universities, the University of Mississippi Medical Center, the MSU Department of Agriculture, Forestry and Veterinary Medicine, and the system office, and that any projects that are life-safety projects be clearly identified on the recommended list as IHL system high priorities.

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
November 18, 2010**

1. **System** - Approved for first reading the proposed new Board Policy 920 Sustainability Policy. (See **Exhibit 2.**)
2. **System** - Facility Needs for the 2011 Legislative Session. (See **Exhibit 3.**)

ANNOUNCEMENTS

- President Bettye Neely welcomed the Student Government Association presidents: Mr. Corey Cooper – Alcorn State University, Miss Emily Hearn - Delta State University, Mr. Thomas Sellers – Mississippi State University, Miss Virginia Burke – University of Mississippi, and Miss Kasey Mitchell – University of Southern Mississippi.

LEGAL AGENDA

Presented by Mr. Alan Perry, Chair

On motion by Trustee Perry, seconded by Trustee Whitten, with Trustees Owens and Ross absent and not voting, all Trustees legally present and participating voted unanimously to move agenda items #1 - #3 to the Executive Session agenda. On motion by Trustee Perry, seconded by Trustee Robinson, with Trustees Owens and Ross absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda items #4 - #27.

1. **UMMC** - Settlement of Tort Claim No. #1487. (**This item was handled during Executive Session.**)
2. **UMMC** - Settlement of Tort Claim No. #1601. (**This item was handled during Executive Session.**)
3. **UMMC** - Settlement of Tort Claim No. #1660. (**This item was handled during Executive Session.**)
4. **ASU** - Approved the proposed affiliation agreement with Alcorn State University A-Club Alumni Association. The agreement is included in the bound *November 18, 2010 Board Working File*.
5. **ASU** - Approved the proposed affiliation agreement with the Alcorn State University National Alumni Association. The agreement is included in the bound *November 18, 2010 Board Working File*.
6. **ASU** - Approved the proposed affiliation agreement with the Alcorn State University National Alumni Association Foundation, Inc. The agreement is included in the bound *November 18, 2010 Board Working File*.
7. **ASU** - Approved the proposed affiliation agreement with the Alcorn State University Foundation. The agreement is included in the bound *November 18, 2010 Board Working File*.
8. **DSU** - Approved the proposed affiliation agreement with the Delta State University Foundation, Inc. The agreement is included in the bound *November 18, 2010 Board Working File*.
9. **JSU** - Approved the proposed affiliation agreement with Jackson State University National Alumni Association, Inc. The agreement is included in the bound *November 18, 2010 Board Working File*.
10. **JSU** - Approved the proposed affiliation agreement with the Jackson State University Development Foundation. The agreement is included in the bound *November 18, 2010 Board Working File*.

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
November 18, 2010**

11. **MSU** - Approved the proposed affiliation agreement with the Mississippi State University Alumni, Incorporated. The agreement is included in the bound *November 18, 2010 Board Working File*.
12. **MSU** - Approved the proposed affiliation agreement with the Mississippi State University Foundation, Inc. The agreement is included in the bound *November 18, 2010 Board Working File*.
13. **MSU** - Approved the proposed affiliation agreement with The Bulldog Club. The agreement is included in the bound *November 18, 2010 Board Working File*.
14. **MSU** - Approved the proposed affiliation agreement with The Bulldog Foundation, Inc. The agreement is included in the bound *November 18, 2010 Board Working File*.
15. **MUW** - Approved the proposed affiliation agreement with the Mississippi University for Women Foundation. The agreement is included in the bound *November 18, 2010 Board Working File*.
16. **MUW** - Approved the proposed affiliation agreement with the Mississippi University for Women Alumni Association. The agreement is included in the bound *November 18, 2010 Board Working File*.
17. **MVSU** - Approved the proposed affiliation agreement with the Mississippi Valley State University National Alumni Association. The agreement is included in the bound *November 18, 2010 Board Working File*.
18. **MVSU** - Approved the proposed affiliation agreement with the Mississippi Valley State University Foundation. The agreement is included in the bound *November 18, 2010 Board Working File*.
19. **UM** - Approved the proposed affiliation agreement with the Alumni Association of the University of Mississippi. The agreement is included in the bound *November 18, 2010 Board Working File*.
20. **UM** - Approved the proposed affiliation agreement with the University of Mississippi Foundation. The agreement is included in the bound *November 18, 2010 Board Working File*.
21. **UM** - Approved the proposed affiliation agreement with the University of Mississippi Research Foundation. The agreement is included in the bound *November 18, 2010 Board Working File*.
22. **UM** - Approved the proposed affiliation agreement with the UMAA Foundation. The agreement is included in the bound *November 18, 2010 Board Working File*.
23. **UMMC** - Approved the proposed affiliation agreement with the University of Mississippi Medical Center Research Development Foundation. The agreement is included in the bound *November 18, 2010 Board Working File*.
24. **USM** - Approved the proposed affiliation agreement with the University of Southern Mississippi Athletic Foundation. The agreement is included in the bound *November 18, 2010 Board Working File*.
25. **USM** - Approved the proposed affiliation agreement with the University of Southern Mississippi Research Foundation. The agreement is included in the bound *November 18, 2010 Board Working File*.
26. **USM** - Approved the proposed affiliation agreement with the University of Southern Mississippi Alumni Association. The agreement is included in the bound *November 18, 2010 Board Working File*.
27. **USM** - Approved the proposed affiliation agreement with the University of Southern Mississippi Foundation. The agreement is included in the bound *November 18, 2010 Board Working File*.

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
November 18, 2010**

ADMINISTRATION/POLICY AGENDA

Presented by Dr. Hank M. Bounds, Commissioner

On motion by Trustee Whitten, seconded by Trustee Robinson, with Trustees Owens and Ross absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda item #1 on the following Administration/Policy Agenda as amended. On motion by Pickering, seconded by Trustee Smith, with Trustees Owens and Ross absent and not voting, all Trustees legally present and participating voted unanimously to approve agenda item #2.

1. **System** - Approved the following dates for the January through December 2011 Board Meetings. The locations will be amended.
 - Thursday, January 20, 2011
 - Thursday, February 17, 2011
 - Thursday, March 17, 2011
 - Thursday, April 21, 2011
 - Thursday, May 19, 2011
 - Thursday, June 16, 2011
 - Thursday, July 21, 2011 (Subject to Call)
 - Thursday, August 18, 2011
 - Thursday, September 15, 2011 (Board Retreat)
 - Thursday, October 20, 2011
 - Thursday, November 17, 2011
 - Thursday, December 15, 2011 (Subject to Call)
2. **USM** - Approved the request to offer the Retirement Incentive Program in FY 2011 to retirement eligible employees of the university and to designate the period beginning on December 15, 2010 to March 15, 2011 as the enrollment period during which eligible employees may elect to participate in the program. Retirement eligibility is determined by criteria set out by the Public Employees Retirement System of Mississippi. The Board also approved the request for the retirement incentive to be a cash benefit of fifty percent of the eligible employee's base salary as of December 1, 2010 and, if the participant elects, to allow the incentive payments to be spread out over multiple years, not to exceed five years. The following list of pertinent documents, which are included in the bound *November 18, 2010 Board Working File*, are also approved:
 - a. Board of Trustees of State Institutions of Higher Learning Retirement Incentive Program Agreement, Waiver and Release,
 - b. Board of Trustees of State Institutions of Higher Learning Program Rules and Regulations and
 - c. Exhibit A to the Board of Trustees of State Institutions of Higher Learning Retirement Incentive Program Agreement, Waiver and Release (List of Employees by title, age, and EEO classification.)

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
November 18, 2010**

INFORMATION AGENDA
Presented by Commissioner Hank M. Bounds

ACADEMIC AFFAIRS

1. **System** - The Board received the annual report of the winners of the Halbrook Awards for the Academic Achievement Among Athletes for 2009-2010. The winners are listed in the bound November 18, 2010 Board Working File.
2. **System** - In accordance with Board Policy 508 (2): Accreditation Procedures the Board received the annual report on each accreditation visit or change in accreditation status of each university.” The table included in the bound *November 18, 2010 Board Working File* summarizes system accreditation activity for the period beginning July 1, 2009 and ending June 30, 2010.

REAL ESTATE

3. **System** - The Board received the Real Estate items that were approved by the Board staff subsequent to the October 21, 2010 Board meeting in accordance with Board Policy 904 Board Approval. (See **Exhibit 4.**)

LEGAL

4. **System** - The Board received a report of the payment of legal fees to outside counsel. (See **Exhibit 5.**)

ADMINISTRATION/POLICY

5. **System** - Commencement/Recognition Ceremony Schedules:

Delta State University

Time: 10:00 a.m., Saturday, December 11, 2010

Location: Walter Sillers Coliseum

Speaker: Dr. Susan A. Ford, 2010 recipient of S. E. Kossman Outstanding Teacher Award, Delta State University

Mississippi State University

Meridian Campus

Time: 11:00 a.m., Friday, December 10, 2010

Location: Riley Center

Speaker: Mr. Tony Pompelia, CEO, Leading Edge Advertising

Starkville Campus

Time: 7:00 p.m., Friday, December 10, 2010

Location: Humphrey Coliseum

Speaker: Mr. Sid Salter, Journalist, *The Clarion Ledger*

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
November 18, 2010**

Mississippi University for Women

Recognition Ceremony

Time: 6:00 p.m., Friday, December 3, 2010

Location: Rent Auditorium of Whitfield Hall

Speaker: Ms. Mary Jo Kirkpatrick, Chair of the Department of Associate Degree Nursing, Mississippi University for Women

University of Southern Mississippi

Time: 10:00 a.m. and 3:00 p.m., Friday, December 10, 2010

Location: Reed Green Coliseum

Speaker: Ms. Mary Libby Payne, Retired Judge of the Mississippi Court of Appeals and Scholar-in-Residence/Professor Emerita at Mississippi College School of Law

6. **System** - In compliance with Board policy, the following items have been approved by the Commissioner on behalf of the Board and are available for review in the Board Office:
- a. **MSU** – On October 26, 2010, approval was granted to enter into a four-year lease with the Mississippi State University Research and Technology Corporation (MSU-RTC) to allow the MSU-RTC to use 43 acres of land located adjacent to the current MSU Research Park in Starkville, MS. Using grant funds from the National Institute of Standards and Technology, the MSU-RTC will construct improvements upon the leased land in order to make way for new development for the research park. The existing research park space is at capacity and additional land is needed to expand research based businesses.
 - b. **USM** – On November 2, 2010, approval was granted to enter into a one-year lease agreement with Radiance Technologies, Inc. (RTI) to allow RTI to lease approximately 765 square feet of space in the university’s Accelerator Building located in the Innovation and Commercialization Park in Hattiesburg, Mississippi. RTI plans to locate a portion of its scientists in Hattiesburg to further its research, development, and commercialization of high-temperature polymer composites in collaboration with university scientists.
 - c. **System** – On October 25, 2010, Commissioner Hank Bounds reviewed and approved the annual summary of actual expended Institutional (E & G) Scholarships, Fellowships and Tuition Waivers Report FY 2010. This summary is a required financial report mandated from IHL Board Policy 703.04 Institutional Scholarships, Tuition Waivers, and Fellowships Subsection F Policy Guidelines.
 - d. **System** – On October 25, 2010, Commissioner Hank Bounds reviewed and approved the Quarterly Employment Reports which lists all hires and all separations for the period beginning July 1, 2010 and ending September 30, 2010. These reports are required by IHL Policy 401.0102 Delegation of Authority and 801.09 Resignations.
 - e. **System** – On October 25, 2010, Commissioner Hank Bounds reviewed and approved the annual Additional Compensation Report (Fiscal Year 2010). This report is required by IHL Policy 401.0103 Salaries and Compensation.

ANNOUNCEMENTS

- Trustee Ed Blakeslee gave an update on the Efficiencies Reports.
- Trustee Neely invited the Institutional Executive Officers to speak about events occurring on each of their campuses.

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
November 18, 2010**

EXECUTIVE SESSION

On motion by Trustee Perry, with Trustee Ross absent and not voting, all Trustees legally present and participating voted unanimously to close the meeting to determine whether or not it should declare an Executive Session. On motion by Trustee Perry, seconded by Trustee Robinson, with Trustee Ross absent and not voting, all Trustees legally present and participating voted unanimously **to go into Executive Session** for the reasons reported to the public and stated in these minutes, as follows:

Discussion of a personnel matter at Delta State University and
Discussion of 4 litigation matters at the University of Mississippi Medical Center.

During Executive Session, the following matters were discussed and/or voted upon:

The Trustees legally present and participating discussed and deliberated on the request of Dr. John Wojcik to be granted a Board review of the denial of his tenure by Delta State University. On motion by Trustee Whitten, seconded by Trustee Blakeslee, with Trustees Ross and Smith absent and not voting, all Trustees legally present and participating voted unanimously to deny the request to review the denial of tenure of Dr. John Wojcik as recommended by counsel.

The Board received an update on a litigation matter at the University of Mississippi Medical Center.

On motion by Trustee Whitten, seconded by Trustee Robinson, with Trustees Ross and Smith absent and not voting, all Trustees legally present and participating voted unanimously to approve the settlement of Tort Claim No. 1660 styled as *Latricia Cessna v. UMMC, et al.*, as recommended by counsel.

On motion by Trustee Rouse, seconded by Trustee Davidson, with Trustees Ross and Smith absent and not voting, all Trustees legally present and participating voted unanimously to approve the settlement of Tort Claim No. 1601 styled as *Marlee F. Wilkes v. UMMC, et al.*, as recommended by counsel.

On motion by Trustee Patterson, seconded by Trustee Robinson, with Trustees Ross and Smith absent and not voting, all Trustees legally present and participating voted unanimously to approve the settlement of Tort Claim No. 1487 styled as *Erin Treece v. UMMC, et al.*, as recommended by counsel.

On motion by Trustee Robinson, seconded by Trustee Blakeslee, with Trustees Ross and Smith absent and not voting, all Trustees legally present and participating voted unanimously to return to Open Session.

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
November 18, 2010**

ADJOURNMENT

There being no further business to come before the Board, on motion by Trustee Whitten, seconded by Trustee Robinson, with Trustees Ross and Smith absent and not voting, all Trustees legally present and participating voted unanimously to adjourn the meeting.

President, Board of Trustees of State Institutions of Higher Learning

Commissioner, Board of Trustees of State Institutions of Higher Learning

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
November 18, 2010**

EXHIBITS

- | | |
|-----------|---|
| Exhibit 1 | Proposed amendments to Board Policy 602 Freshman Admission Requirements for University System Institutions for final reading. |
| Exhibit 2 | Proposed new Board Policy 920 Sustainability Policy for first reading. |
| Exhibit 3 | Facility Needs for the 2011 Legislative Session |
| Exhibit 4 | Real Estate items that were approved by the IHL Board staff subsequent to the October 21, 2010 Board meeting. |
| Exhibit 5 | Report of the payment of legal fees to outside counsel. |

EXHIBIT 1

November 18, 2010

SYSTEM - PROPOSED AMENDMENTS TO BOARD POLICY 602 FRESHMAN ADMISSION REQUIREMENTS FOR UNIVERSITY SYSTEM INSTITUTIONS

The proposed amendments were approved by the Board for first reading in October and are now presented for final approval.

***~~BEGINNING IN THE SUMMER OF 2012, THE FOLLOWING COLLEGE
PREPARATORY CURRICULUM WILL APPLY.~~***

602 FRESHMAN ADMISSION REQUIREMENTS FOR UNIVERSITY SYSTEM INSTITUTIONS

The high school course requirements set forth below are applicable to students graduating from high school and entering a public institution of higher learning beginning in the summer of 2012.

A. HIGH SCHOOL COURSE REQUIREMENTS (College Preparatory Curriculum)

<u>Subject</u>	<u>Carnegie Units</u>	<u>Contents and Remarks</u>
<i>English</i>	4	Compensatory Reading and Compensatory Writing may not be included.
<i>Mathematics</i>	4	Includes Algebra I, Geometry, Algebra II, and any one Carnegie Unit of comparable rigor and content. (e.g., Advanced Algebra, Trigonometry, Pre-Calculus, Calculus, AP Calculus AB, AP Calculus BC, Discrete Mathematics, Probability and Statistics, or AP Statistics.)
<i>Science</i>	4	Includes Biology I, Chemistry I, and any two Carnegie Units of comparable rigor and content. (e.g., Physics, Physical Science, Biology II, Chemistry II, AP Chemistry, Physics II, AP Physics B, AP Physics C—Electricity and Magnetism, AP Physics C—Mechanics, Botany, Microbiology, or Human Anatomy and Physiology.)

EXHIBIT 1

November 18, 2010

<i>Social Studies</i>	4	<i>Includes World History, U.S. History, Introduction to World Geography, U.S. Government, Economics, and Mississippi Studies. (Credit earned for a State/Local Government course in any other state may stand in lieu of Mississippi Studies.)</i>
<i>Arts</i>	1	<i>Includes any one Carnegie Unit of visual and performing arts course(s) meeting the requirements for high school graduation.</i>
<i>Advanced Electives</i>	2	<i>Includes any two Carnegie Units of Foreign Language (I and II), Advanced World Geography, and a Foreign Language (I) or any combination of English, mathematics, or lab-based science courses of comparable rigor and content to those required above.</i>
<i>Computer Applications</i>	1/2	<i>Course should emphasize the computer as a productivity tool. Instruction should include the use of application packages, such as word processing and spreadsheets. The course should also include basic computer terminology and hardware operation.</i>
<i>Pre-High School Units</i>		<i>Algebra I, first year Foreign Language, Mississippi Studies, or Computer Applications Studies taken prior to high school will be accepted for admission provided the course content is the same as the high school course.</i>

<u>Subject Area</u>	<u>Required¹ Carnegie Units and Content/Remarks</u>	<u>Recommended² Carnegie Units and Content/Remarks</u>
<u>English</u>	4 <u>All must require substantial communications skills (i.e. reading, writing, listening, and speaking).</u>	4 <u>Compensatory Reading and Compensatory Writing may not be included.</u>

EXHIBIT 1

November 18, 2010

<u>Mathematics</u>	<u>3</u>	<u>Includes Algebra I, Geometry, and Algebra II</u>	<u>4</u>	<i><u>Includes Algebra I, Geometry, Algebra II, and any one Carnegie unit of comparable rigor and content. (i.e. Advanced Algebra, Trigonometry, Pre-Calculus, Calculus, AP Calculus AB, AP Calculus BC, Discrete Mathematics, Probability and Statistics, or AP Statistics.)</u></i>
<u>Science</u>	<u>3</u>	<u>Biology, Advanced Biology, Chemistry, Advanced Chemistry, Physics, and Advanced Physics or any other science course with comparable rigor and content. One Carnegie unit from a Physical Science course with content at a level that may serve as an introduction to Physics and Chemistry may be used. Two of the courses chosen must be laboratory based.</u>	<u>4</u>	<i><u>Includes Biology I, Chemistry I, and any two Carnegie units of comparable rigor and content (i.e. Physics, Physical Science, Biology II, Chemistry II, AP Chemistry, Physics II, AP Physics B, AP Physics C-Electricity and Magnetism, AP Physics C-Mechanics, Botany, Microbiology, or Human Anatomy and Physiology).</u></i>
<u>Social Studies</u>	<u>3</u>	<u>Courses should include U.S. History (1 unit), World History (1 unit with substantial geography component), Government (½ unit), and Economics (½ unit) or Geography (½ unit).</u>	<u>4</u>	<i><u>Includes World History, U.S. History, Introduction to World Geography, U.S. Government, Economics, and Mississippi Studies (credit earned for state/local government course in any other state may stand in lieu of Mississippi Studies).</u></i>

EXHIBIT 1

November 18, 2010

<u>Arts</u>	=	=	<u>1</u>	<u>Includes any one Carnegie unit of visual and performing arts course(s) meeting the requirements for high school graduation.</u>
<u>Advanced Electives</u>	<u>2</u>	<u>Requirements may be met by earning 2 Carnegie units from the following areas/courses, one of which must be in Foreign Language or World Geography.</u>	<u>2</u>	<u>Includes any two Carnegie units of Foreign Language (I and II), Advanced World Geography, and a Foreign Language I or any combination of English, mathematics, or lab-based science courses of comparable rigor and content to those required above.</u>
<u>Computer Applications</u>	<u>1/2</u>		<u>1/2</u>	<u>Course should emphasize the computer as a productivity tool. Instruction should include the use of application packages, such as word processing and spreadsheets. The course should also include basic computer terminology and hardware operation.</u>
<u>Pre-High School Units</u>		<u>Algebra I, first year Foreign Language, Mississippi Studies, or Computer Applications taken prior to high school will be accepted for admission provided the course content is the same as the high school course.</u>		
<u>Total</u>	<u>15.5</u>		<u>19.5</u>	

¹High school Carnegie units required for regular admission to an IHL institution

²Recommended high school Carnegie units to enhance preparedness for college-level work

EXHIBIT 2

November 18, 2010

SYSTEM - PROPOSED NEW BOARD POLICY 920 SUSTAINABILITY POLICY FOR FIRST READING.

920 Sustainability Policy

Mississippi Institutions of Higher Learning (IHL) understand the impact of our collective landholdings and campus activities to the natural environment, thus we seek to develop a sustainability foundation that sets the framework for our Institutions of Higher Learning to utilize in the development of their individual policies.

Each institution shall develop a campus sustainability policy and implementation procedures. The sustainability policy and procedures should address and encourage sustainability in operations, grounds, materials, and transportation.

- A. The System Energy Management Council is created and shall include representatives from each institution and be representative of students, faculty, staff, administration, and energy management professional and technical staff. The purpose of the council shall be to guide the implementation of energy management and conservation efforts for the IHL System.
- B. Each institution shall create an Energy Management Committee to guide the implementation of energy management and conservation efforts for the institution.
- C. A procurement program that considers the effect of the product on the environment must be developed. Sustainable purchases must consider *Energy Star* ® appliances, green seal chemicals, and other environmentally-sound items found on state contract, as well as other sources. Contracts for new construction and/or major repair and renovations must include a sustainable purchase requirement for those items included in the contract for purchase and installation.
- D. All new construction and/or major repair and renovation of existing facilities must be designed to meet energy-efficient goals which exceed ASHRAE 90.1 by 30%, when determined cost effective.
- E. All new construction and/or major repair and renovations of existing facilities must include the requirement for the development and approval of an energy model during the early design stages. The design professional must certify that the model meets the Institutions of Higher Learning's energy program and at the conclusion of the construction and/or renovation (prior to final acceptance) the design professional must certify that the facility has been constructed as designed and modeled.
- F. Renovation of historically significant buildings should meet or exceed ASHRAE 90.1 standards where appropriate for the scope of work and determined cost effective.

EXHIBIT 2

November 18, 2010

- G. No less than 25% of the expected annual recurring savings from completed energy efficiency projects shall be set aside each year in the appropriate fund and used to finance future energy efficiency projects. If the annual recurring savings are dedicated to the repayment of debt, then these funds shall be set aside in the first year after such debt is retired.
- H. Water efficiency measures, with the goal of reduction of water use on campus and within all facilities, must be a prime goal.
- I. All new construction and/or major repair and renovations of existing facilities must address and consider sound design techniques that maximize wind, solar, aspect, shading and other design expressions embracing our climatic realities. The design criteria must encourage overhangs, natural day lighting, and other passive design techniques and should not be confused with renewable energy.
- J. All new landscape construction, major repair and renovations of landscapes, and any site work in general must consider and encourage the use of resource-efficient plants including native plant palettes, decreasing the use of herbicides and pesticides when possible, while increasing tree canopy through reforestation and by potable water irrigation reductions.
- K. All new landscape construction, major repair and renovations of landscapes, and any site work in general must include the requirement that protects and enhances water quality through innovative storm water best management practices.
- L. A comprehensive waste-minimization program must be developed. The program should address a comprehensive campus wide recycling program that considers such things as the recycling construction spoils/wastes from demolition and construction projects, garbage collection and disposal contracts, disposals of used equipment, furniture disposal, chemical waste, electronic waste, composting, trash, etc.
- M. Where feasible a campus public transit program serving faculty, staff and students should be developed. The program should consider and encourage transit options into off-campus areas where required.
- N. All new streets or campus street renovations should be developed to encourage walking, bikes, and other non carbon producing emission transportation options.
- O. A car share program should be developed where feasible to encourage car-pooling activities. This program should be developed in partnership with adjacent municipalities, community colleges, and high schools, etc., where appropriate and feasible.

EXHIBIT 3

November 18, 2010



Facilities Needs Requests for FY 2012 2011 Legislative Session

University	University Priority	Project Description	Request Per Project	Total By University
ASU	1	Infrastructure Upgrades Phase I (Electric, Sewer, and Water)	\$6,000,000	
	2	General R&R Phase I	\$6,000,000	
	3	Waste Water Treatment Plant Repairs Phase I	\$1,500,000	
	4	Campus Security Project	\$7,500,000	
	5	Whitney Renovations Phase I	\$12,000,000	
				\$33,000,000
DSU	1	Renovation of Caylor-White/Walters Phase IV	\$10,034,170	
	2	Campus Roof Repairs Projects	\$2,567,800	
	3	Campus Compliance Phase I (ADA/Life Safety/Fire Safety)	\$3,000,000	
	4	Campus Infrastructure Improvements	\$5,000,000	
	5	Central Mechanical Plant Phase II	\$1,200,000	
				\$21,801,970
JSU	1	Johnson/Dansby Replacement Phase II (Dansby Replacement) Phase II	\$9,000,000	
	2	College of Education and Human Development (Pre-Planning)	\$350,000	
	3	Alexander Center Renovation (Pre-Planning)	\$350,000	
	4	General Repair & Renovation Phase II	\$10,000,000	
	5	Land Acquisition Phase V	\$3,000,000	
				\$22,700,000
MSU	1	Renovation of Lee Hall	\$8,700,000	
	2	New Classroom Building	\$15,000,000	
	3	Civil and Environmental Engineering Complex	\$14,000,000	
	4	Addition to Mitchell Memorial Library	\$6,741,718	
	5	Fire Suppression, ADA Compliance, Fire Alarm Upgrades	\$6,900,000	
				\$51,341,718
MSU/DAFVM	1	Wise Center Classroom Addition	\$2,700,000	
	2	Forest Genetics Greenhouse	\$2,000,000	
	3	Animal Life Science Initiative Phase I	\$6,000,000	
	4	Wildlife & Fisheries Research & Ed. Support Facility	\$990,000	
	5	Leveck Animal Research Center Building Program	\$970,000	
				\$12,660,000
MUW	1	ADA Code Compliance and Campus Safety Phase II	\$4,000,000	
	2	Fant Memorial Library & Expansion Phase I	\$6,100,000	
	3	Storm Drainage and Street Repair	\$2,000,000	
	4	Keirn & Taylor Halls Demolition	\$1,300,000	
	5	Shattuck Hall Renovation	\$4,709,000	
				\$18,109,000
MVSU	1	W.H. White Library Renovation	\$4,500,000	
	2	MVSU Academic and Wellness Multiplex	\$10,000,000	
	3	Waste Water Treatment Plant and Repairs	\$7,500,000	
	4	Student Union Renovation and Expansion	\$6,300,000	
	5	Fine Arts Center Renovation and Expansion	\$7,700,000	
				\$36,000,000

EXHIBIT 3

November 18, 2010

University Priority	University	Project Description	Request Per Project	Total By University
UM	1	Student Union Renovation	\$10,000,000	
	2	New Science Building	\$10,000,000	
	3	Turner Center Renovation	\$10,000,000	
	4	Music Hall Mechanical Upgrade	\$4,000,000	
	5	Garland Hedleston Mayes (GHM)	\$10,000,000	
				\$44,000,000
UMMC	1	Center Core Support Office	\$8,500,000	
	2	Fire Alarm System Upgrade	\$1,202,000	
	3	Campus Mechanical Upgrade Phase I	\$1,645,000	
	4	East Central Mechanical Plant	\$8,000,000	
	5	Pedestrian Bridge & Utility Loop Expansion	\$6,125,000	
				\$25,472,000
USM	1	College of Business Phase II	\$15,000,000	
	2	School of Nursing Phase I	\$15,000,000	
	3	General Repair and Renovation	\$6,000,000	
	4	College Hall Renovation	\$7,000,000	
	5	Southern Hall Renovation	\$7,000,000	
				\$50,000,000
ERC	1	General Repair and Renovation	\$1,500,000	
	2	Renovation of Paul B. Johnson Building (Pre-Plan)	\$350,000	
				\$1,850,000
IHL/University System	1	System-wide Centralized Technology Program	\$20,000,000	
				\$20,000,000
				\$336,934,688

NOTE:

*Projects above highlighted in yellow represent **HIGH** IHL System Priority



EXHIBIT 4

November 18, 2010

SYSTEM: REAL ESTATE ITEMS APPROVED SUBSEQUENT TO THE OCTOBER 21, 2010 BOARD MEETING SUBMISSION DEADLINE

NOTE: THE FOLLOWING ITEMS WERE APPROVED BY THE BOARD'S REAL ESTATE AND FACILITIES STAFF ACCORDING TO BOARD POLICY §904 (A) BOARD APPROVAL WHICH STATES:

Change Order Approval Note: No change orders approved by Board staff, as reflected within any of the following informational agenda items, increase the Board approved total project budget. The total project budget as approved by the Board provides for a contingency fund, which allows for an increase in the construction budget of between five and ten percent. Any increase in the total project budget caused by a change order, would require Board approval and could not be approved by Board staff.

1. ASU – GS 101-269 – Dumas Hall Renovations

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Contract Documents** as submitted by Duvall Decker Architects, P.A., design professional. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board staff **approved request to advertise for receipt of bids.** Approval is requested from the Bureau of Building, Grounds, and Real Property. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: September 13, 2010

Project Initiation Date: January 31, 2008

Design Professional: Duvall Decker Architects, P.A.

General Contractor: N/A

Contract Award Date: N/A

Project Budget: \$7,000,000

Funding Source(s): Ayers (\$3,500,000); HB 246, Laws of 2007 (\$1,500,000); HB 1722, Laws of 2009 (2,000,000)

2. ASU – GS 101-282 – New Water Treatment Plant Phase II

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff **approved the award of contract** to T.L. Wallace Construction, the lower of five (5) bidders, for a total contract amount of \$1,548,500. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: October 15, 2010

Project Initiation Date: N/A

Design Professional: Neil Shaffer

General Contractor: T.L. Wallace Construction

Contract Award Date: October 15, 2010

EXHIBIT 4

November 18, 2010

Project Budget: \$1,750,000

Funding Source(s): HB 1701, Laws of 2010 DFA Discretionary (\$750,000); HB 246, Laws of 2007 (\$40,216.98); SB 2010, Laws of 2004 (\$16,251.88); HB 1701, Laws of 2010 (\$10,071.58); HB 1722, Laws of 2009 (\$700,000); HB 1641, Laws of 2008 (\$233,459.56)

3. MSU – GS 113-115 – Lloyd-Ricks Renovation

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #8** in the amount of \$21,879.00 and eleven (11) additional days to the contract of West Brothers Construction. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: October 8, 2010

Change Order Justification: The change order is necessary to modify the interior building signage, the interior door hardware, and add additional exterior plaster parge coating to the project.

Total Project Change Orders and Amount: Eight (8) change orders for a total amount of \$645,639.00

Project Initiation Date: June 14, 2006

Design Professional: Belinda Stewart

General Contractor: West Brothers Construction

Contract Award Date: January 6, 2009

Project Budget: \$12,000,000

Funding Source(s): SB 3201, Laws of 2007 (\$3,611,340.47); HB 246, Laws of 2007 (\$4,997,700.13); HUD Grant (\$3,234,963); (SB 2988, Laws of 2003, SB 3197, Laws of 2002, HB 1634, Laws of 2006, SB 2010, Laws of 2004 – \$155,996.40)

4. MSU – GS 113-117 – Wise Center Storm Repairs

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #2** in the amount of \$1,974.00 and zero (0) additional days to the contract of Thrash Commercial Contractors, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #3** in the amount of \$22,256.00 and twenty-six (26) additional days to the contract of Thrash Commercial Contractors, Inc. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: (#1) September 9, 2010; (#2) October 15, 2010

Change Order Justification: **Change Order #1** is necessary to remove and replace deteriorated concrete masonry units (CMU) that would pose a safety hazard if not corrected. **Change Order #2** is necessary for structural rework of areas that were in disrepair. These areas were uncovered during the scheduled demolition and were latent conditions that could not be left in the condition in which they were found for safety reasons.

Total Project Change Orders and Amount: Three (3) change orders for a total amount of \$19,392.00.

Project Initiation Date: October 20, 2006

EXHIBIT 4

November 18, 2010

Design Professional: Pryor & Morrow Architects and Engineers, P.A.

General Contractor: Thrash Commercial Contractors, Inc.

Contract Award Date: January 25, 2010

Project Budget: \$6,790,000

Funding Source(s): HB 1634, Laws of 2006 (\$1,726,000); HB 1641, Laws of 2008 (\$3,000,000); HB 1722, Laws of 2009 (\$2,000,000); MSU-CVM (\$64,000)

5. MSU – IHL 205-234 – MSU Research and Technology Park Road

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Design Development Documents** as submitted by Shafer and Associates, design professional.

Staff Approval Date: September 17, 2010

Project Initiation Date: September 21, 2007

Design Professional: Neel-Schaffer

General Contractor: N/A

Contract Award Date: N/A

Project Budget: \$5,160,000

Funding Source(s): MDOT and U.S. Department of Commerce

6. MUW – GS 104-154 – Drainage & Street Repair, Phase II

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved the award of contract to Gregory Construction Services, Inc, the lower of three (3) bidders, for a total contract amount of \$1,286,020.00. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: September 9, 2010

Project Initiation Date: N/A

Design Professional: Neel-Schaffer, Inc.

General Contractor: Gregory Construction Services, Inc.

Contract Award Date: September 9, 2010

Project Budget: \$1,600,000

Funding Source(s): SB 2988, Laws of 2003 (\$406,507); HB 1634, Laws of 2006 (\$255,034); SB 3197, Laws of 2002 (\$37,039); HB 1701, Laws of 2010 (\$901,420)

7. UM – GS 107-303 – Various Roof Replacements

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Schematic Design Documents** as submitted by Shafer & Associates, design professional. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Design Development Documents** as submitted by Shafer & Associates, design professional. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: September 7, 2010

Project Initiation Date: August 20, 2009

Design Professional: Shafer & Associates

EXHIBIT 4

November 18, 2010

General Contractor: N/A

Contract Award Date: N/A

Project Budget: \$1,500,000

Funding Source(s): HB 1722, Laws of 2009 (\$974,707.47); SB 2010, Laws of 2004 (\$88,000); HB 246, Laws of 2007 (\$100,000); Internal R&R (\$337,292.53)

8. UM – IHL 207-303 B – Research Park and Innovation Center

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #1** for a credit in the amount of (\$127,223.00) and zero (0) additional days to the contract of Montgomery Martin Contractors, LLC.

Staff Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #2** in the amount of \$36,384.92 and zero (0) additional days to the contract of Montgomery Martin Contractors, LLC.

Staff Approval Date: (#1) August 25, 2010; (#2) September 7, 2010

Change Order Justification: **Change Order #1** is necessary for the credit for the difference in the web base building management system allowance of \$300,000 and the awarded bid proposal of \$122,777.00 by Johnson Controls. This would give the university a credit of \$177,223. \$50,000 of this credit amount will be retained in the Building Controls Management System Allowance which will result in a \$127,223 credit amount. **Change Order #2** is necessary to relocate top soil that has been stock-piled for the Innovation Center site work to the Medical Plant Garden (M.P.G) site for use by MPG staff.

Total Project Change Orders and Amount: Two (2) change orders for a total credit in the amount of (\$90,838.08)

Project Initiation Date: August 16, 2007

Design Professional: Cooke Douglas Farr Lemons/ Howorth & Associates

General Contractor: Montgomery Martin Contractors, LLC

Contract Award Date: June 22, 2010

Project Budget: \$17,100,000

Funding Source(s): Grant Funds (NIST #60NANB6D6134)

9. UM – IHL 207-320 – Mississippi Small Business Development Center

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #2** in the amount of \$25,308.00 and zero (0) additional days to the contract of Murphy & Sons, Inc.

Staff Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #3** in the amount of \$100,005.00 and zero (0) additional days to the contract of Murphy & Sons, Inc.

Staff Approval Date: (#1) September 15, 2010; (#2) October 4, 2010

Change Order Justification: **Change Order #2** is necessary for floor upgrades requested from the user. **Change Order #3** is necessary for the addition of a natural gas powered 150kw generator to fully support the building for emergency support.

Total Project Change Orders and Amount: Three (3) change orders for a total in the amount of \$132,204.00

Project Initiation Date: February 19, 2009

EXHIBIT 4

November 18, 2010

Design Professional: The McCarty Company

General Contractor: Murphy & Sons, Inc.

Contract Award Date: December 16, 2009

Project Budget: \$2,000,000

Funding Source(s): US Congress Grant Funds (SBAHQ-06-I-0032)

10. UM – IHL 207-321 – North Residential College – Bid Package A

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #6** in the amount of \$8,683.33 and zero (0) additional days to the contract of M & N Excavators, Inc.

Staff Approval Date: September 17, 2010

Change Order Justification: **Change Order #6** is necessary to furnish and install base concrete, pavers, cast stone, reinforcement. Also the change order will allow for the installation of base steel support supplied for statute support as well as re-install brick pavers around the base after the base is installed.

Total Project Change Orders and Amount: Six (6) change orders for a total amount of \$46,167.04

Project Initiation Date: March 19, 2009

Design Professional: Cooke Douglas Farr Lemons/Eley Guild Hardy – A Joint Venture

General Contractor: M & N Excavators, Inc.

Contract Award Date: September 4, 2009

Project Budget: \$25,000,000

Funding Source(s): Internal R & R (\$5,700,000); Educational Building Corporation (EBC) Bonds (\$14,700,000); Private Gifts (\$4,600,000)

11. UM – IHL 207-321 – North Residential College – Bid Package C

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #4** in the amount of \$27,300.00 and zero (0) additional days to the contract of Selective Masonry.

Staff Approval Date: October 4, 2010

Change Order Justification: **Change Order #4** is necessary to furnish and install base concrete, pavers, cast stone, reinforcement. Also the change order will allow for the installation of base steel support supplied for statute support as well as re-install brick pavers around the base after the base is installed.

Total Project Change Orders and Amount: Four (4) change orders for a total amount of \$43,515.00.

Project Initiation Date: March 19, 2009

Design Professional: Cooke Douglass Farr Lemons/ Eley Guild Hardy - A Joint Venture

General Contractor: Selective Masonry

Contract Award Date: July 1, 2009

Project Budget: \$25,000,000

Funding Source(s): Internal R&R (\$5,700,000); Educational Building Corporation (EBC) Bonds (\$14,700,000); Private Gifts (\$4,600,000)

EXHIBIT 4

November 18, 2010

12. UM – IHL 207-321 – North Residential College – Bid Package G

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #6** in the amount of \$4,095.09 and zero (0) additional days to the contract of Clinton Interiors.

Staff Approval Date: October 4, 2010

Change Order Justification: **Change Order #6** is necessary to change keyed cylinders from standard cylinder to a master keying matrix system.

Total Project Change Orders and Amount: Six (6) change orders for a total credit in the amount of (\$39,796.71)

Project Initiation Date: March 19, 2009

Design Professional: Cooke Douglass Farr Lemons/ Eley Guild Hardy - A Joint Venture

General Contractor: Clinton Interiors

Contract Award Date: September 4, 2009

Project Budget: \$25,000,000

Funding Source(s): Internal R&R (\$5,700,000); Educational Building Corporation (EBC) Bonds (\$14,700,000); Private Gifts (\$4,600,000)

13. UM – IHL 207-321 – North Residential College – Bid Package J

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #1** in the amount of \$29,586.00 and zero (0) additional days to the contract of Hotel and Restaurant Supply.

Staff Approval Date: September 17, 2010

Change Order Justification: **Change Order #1** is necessary to furnish and install the additional kitchen equipment needed for the changes in the server, food prep etc.

Total Project Change Orders and Amount: One (1) change order for a total amount of \$29,586.00

Project Initiation Date: March 19, 2009

Design Professional: Cooke Douglass Farr Lemons/ Eley Guild Hardy - A Joint Venture

General Contractor: Hotel and Restaurant Supply

Contract Award Date: July 1, 2009

Project Budget: \$25,000,000

Funding Source(s): Internal R&R (\$5,700,000); Educational Building Corporation (EBC) Bonds (\$14,700,000); Private Gifts (\$4,600,000)

14. UM – IHL 207-337 – Faser Hall Electrical Upgrade

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Schematic Design Documents** as submitted by Cooke Douglass Farr Lemons, design professional.

Staff Approval Date: September 17, 2010

Project Initiation Date: February 18, 2010

Design Professional: Cooke Douglass Farr Lemons

General Contractor: N/A

Contract Award Date: N/A

EXHIBIT 4

November 18, 2010

Project Budget: \$1,180,000
Funding Source(s): Internal R&R (\$1,180,000)

15. UMMC – GS 109-195 – Adult Emergency Renovations

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Contract Documents** as submitted by Dale/Morris Associates, design professional. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: October 15, 2010

Project Initiation Date: November 14, 2007

Design Professional: Dale/Morris Associates

General Contractor: N/A

Contract Award Date: N/A

Project Budget: \$9,630,000

Funding Source(s): HB 246, Laws of 2007 (\$5,130,000); HB 1641, Laws of 2008 (\$2,000,000); HB 1722, Laws of 2009 (\$2,500,000)

16. UMMC – IHL 209-521 – Pediatric ICU Renovations

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #3** in the amount of \$7,545.00 and zero (0) additional days to the contract of Fountain Construction Company.

Staff Approval Date: October 8, 2010

Change Order Justification: **Change Order #3** is necessary to address latent conditions where required fire stopping was not present or was in deteriorated condition requiring replacement.

Total Project Change Orders and Amount: Three (3) change order for a total amount of \$42,968.00

Project Initiation Date: March 19, 2009

Design Professional: The McCarty Co. Design Group

General Contractor: Fountain Construction Company

Contract Award Date: December 2, 2009

Project Budget: \$3,122,978.00

Funding Source(s): Hospital Patient Revenue (\$3,122,978)

17. USM – GS 108-261 – School of Nursing Building

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Schematic Design Documents** as submitted by Studio South Architects, PLLC in association with Eley Associates, design professional. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: October 8, 2010

Project Initiation Date: September 17, 2009

Design Professional: Studio South Architects, PLLC / Eley Associates

General Contractor: N/A

Contract Award Date: N/A

Project Budget: \$1,500,000

EXHIBIT 4

November 18, 2010

Funding Source(s): Federal Grant funds (\$1,500,000)

18. USM– IHL 208-281 – Chain Technology HVAC Upgrade

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #2** in the amount of \$25,269.00 and zero (0) additional days to the contract of Pat L. McKenzie, Inc.

Staff Approval Date: October 8, 2010

Change Order Justification: **Change Order #2** is necessary to add controls to VAV units, re-work ductwork, and add supply grilles to Server/Communication rooms. This change order will improve the functionality and energy efficiency of the entire building.

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$451,090.00

Project Initiation Date: August 17, 2007

Design Professional: Atherton Consulting Engineers, Inc.

General Contractor: Pat. L. McKenzie, Inc.

Contract Award Date: May 10, 2010

Project Budget: \$1,123,700

Funding Source(s): University year end funds (\$1,123,700)

19. USM– IHL 210-239 – Red Snapper Building Larval Rearing

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #1** in the amount of \$950.00 and one hundred five (105) additional days to the contract of Starks Contracting, Inc.

Staff Approval Date: October 8, 2010

Change Order Justification: **Change Order #1** is necessary to add Simpson clip angles in order to better attach the side porch roofs to the structure which will allow more free space for research equipment. The change order will also add time to the contract due to excessive rain days USM has incurred with the project.

Total Project Change Orders and Amount: One (1) change order for a total amount of \$950.00

Project Initiation Date: August 17, 2007

Design Professional: Allred Architectural Group

General Contractor: Starks Contracting, Inc.

Contract Award Date: May 28, 2009

Project Budget: \$1,400,000

Funding Source(s): NOAA Grant Funds (\$1,400,000)

20. USM– IHL 210-240 – Infrastructure II

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #2** in the amount of \$81,804.05 and thirty (30) additional days to the contract of Gulf Equipment Corporation.

Staff Approval Date: October 8, 2010

Change Order Justification: **Change Order #2** is necessary to add electrical service to a new building under construction. The service was not present when the plans for the

EXHIBIT 4

November 18, 2010

project were considered. The change order will also replace a leaking 6" valve as well as several other system valves in need of repair.

Total Project Change Orders and Amount: Two (2) change orders for a total amount of \$86,034.60

Project Initiation Date: August 21, 2008

Design Professional: Allred and McNabb Architects

General Contractor: Gulf Equipment Corporation

Contract Award Date: May 28, 2009

Project Budget: \$3,500,000

Funding Source(s): NOAA Grant Funds 3321 (\$3,500,000)

EXHIBIT 5

November 18, 2010

SYSTEM - REPORT OF PAYMENTS TO OUTSIDE COUNSEL

Legal fees approved for payment to outside counsel in relation to litigation and other matters:

Payment of legal fees for professional services rendered by Butler, Snow, O'Mara, Stevens & Cannada (statements dated 8/25/10, 9/17/10 and 9/17/10) from the funds of the University of Mississippi Medical Center. (These statements represent services and expenses in connection with General Advice-UMMC North Clinic - \$26,244.15, General Rep. of the Medical School and Facility Practice Plans-UMMC North Clinic - \$150.50 and General Advice-UMMC North Clinic - \$6,553.08, respectively.)

TOTAL DUE.....\$ 32,947.73

Payment of legal fees for professional services rendered by John Kitchens, Esq. (statements dated 7/30 /10) from the funds of the University of Mississippi Medical Center. (These statements represent services and expenses in connection with the cases styled *Kermode* (Federal Case) - \$11,642.78; *Kermode* (State Case) - \$379.50; *Walker* - \$681.00; *UMMC* - \$1,023.00 and *Seid* - \$315.00.)

TOTAL DUE.....\$ 14,041.28

Payment of legal fees for professional services rendered by James C. Mingee/The Mark It Place (statement dated 6/19/10) from the funds of the University of Mississippi Medical Center. (This statement, in the amount of \$2,900.00 represents services and expenses in connection with trademark/service mark and copyright matters.)

TOTAL DUE.....\$ 2,900.00

Payment of legal fees for professional services rendered by Ogletree, Deakins, Nash, Smoak & Stewart (statement dated 8/10/10) from the funds of the University of Mississippi Medical Center. (This statement in the amount of \$452.64, represents services and expenses in connection with the *Bernard v. UMMC* case.)

TOTAL DUE.....\$ 452.64

Payment of legal fees for professional services rendered by Adams & Reese (statements dated 12/7/09, 2/9/10, 3/2/10, 3/9/10, 4/15/10, 5/11/10, 6/15/10, 7/7/10, 8/16/10 and 9/15/10) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$1,125.00, \$5,833.50, \$3,852.75, \$840.00, \$32,211.66, \$76,140.63, \$29,934.90, \$785.67, \$105.00 and \$847.62, respectively, represent services and expenses in connection with personnel issues.)

TOTAL DUE.....\$ 151,676.73

EXHIBIT 5

November 18, 2010

Legal fees approved for payment to outside counsel in relation to patent and other matters:

Payment of legal fees for professional services rendered by Butler, Snow, O'Mara, Stevens & Cannada (statements dated 9/15/10) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: "Compact Time-of-Flight Mass Spectrometer-Germany" - \$333.00; "Compact Time-of-Flight Mass Spectrometer-United Kingdom" - \$532.70; "Organic Wood Preservatives" - \$59.50; "High Power Density, Full-Bridge Parallel Loaded Resonant DC-DC Converter for Low-Voltage, High-Current Applications" - \$959.50; "Methods of Preparation of Live Attenuated Bacterial Vaccines" - \$17.00; "Live Attenuated Catfish Vaccine" - \$17.00; "Steele-Prov. Patent on Anhydrosugar Production" - \$17.00; "Steele-Biofuel Catalyst" - \$942.50; "Compact Time-of-Flight Mass Spectrometer-Canada" - \$55.41 and "Compact Time-of-Flight Mass Spectrometer-Japan" - \$2,315.73, respectively.)

TOTAL DUE.....\$ 5,249.34

Payment of legal fees for professional services rendered by Butler, Snow, O'Mara, Stevens & Cannada (statements dated 7/27/10 and 8/20/10) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: "Utilizing Tactile Speech Feedback for Stuttering and Other Speech/Fluency/Motor Initiation Disorders" - \$25.50 and "Chick Separation-Anxiety-Depression (SAD)" - \$742.50, respectively.)

TOTAL DUE.....\$ 768.00

Payment of legal fees for professional services rendered by Hunton & Williams (statement dated 4/15/10) from the funds of the University of Mississippi. (This statement represents services and expenses in connection with the following patents: "Method of Preparing Delta-9-Tetrahydrocannabinol Esters" - \$689.47.)

TOTAL DUE.....\$ 689.47

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 7/22/10, 7/22/10, 7/22/10, 7/22/10, 7/22/10, 7/22/10, 7/22/10, 7/22/10, 7/22/10, 8/27/10, 8/27/10, 8/27/10, 8/27/10, 8/27/10, 8/27/10, 8/27/10 and 8/27/10) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: "Mexico: High-Speed Data Compression Based on Set-Associative Cache Mapping Techniques" - \$488.50; "Australia: High-Speed Data Compression Based on Set-Associative Cache Mapping Techniques" - \$603.00; "Delivery of Medicaments to the Nail Perionychium via 'Etching'" - \$341.00; "Highly Purified Amphotericin-B" - \$496.00; "Multi-Doman Plate Acoustic Wave Devices" - \$188.50; "India: Stabilized Formulation of Triamcinolone Acetonide" - \$375.00; "Effective Reburning by Natural Gas Substitutes" - \$124.00; "In-Furnace Reduction of Nitrogen Oxide by a Biomass Derivative" - \$2,648.00; "Stabilized Formulation of

EXHIBIT 5

November 18, 2010

Triamcinolone Acetonide” - \$914.96; “Highly Purified Amphotericin-B” - \$2,108.42; “In-Furnace Reduction of Nitrogen Oxide by a Biomass Derivative” - \$54.00; “Japan: Highly Purified Amphotericin-B” - \$1,094.50; “Delivery of Medicaments to the Nail and Perionychium via ‘Etching’” - \$1,055.50; “Mexico: High-Speed Data Compression Based on Set Associative Cache Mapping Techniques” - \$346.00; “Europe: High-Speed Data Compression Based on Set-Associative Cache Mapping Techniques” - \$416.00; “China: High-Speed Data Compression Based on Set-Associative Cache Mapping Techniques” - \$584.00 and “Australia: High-Speed Data Compression Based on Set-Associative Cache Mapping Techniques” - \$448.00, respectively.)

TOTAL DUE.....\$ 12,285.78

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 7/20/10, 7/20/10, 7/20/10, 7/22/10, 7/22/10, 7/22/10 and 7/22/10) from the funds of the University of Mississippi Medical Center. (These statements represent services and expenses in connection with the following patents: “Raucher/Inhibition of Cancer Metastasis by Cell Penetrating Peptides” - \$168.68; “Raucher/Canada/Thermally Targeted Delivery of Medicaments including Doxorubicin” - \$1,392.20; “Raucher/Targeted Delivery of Therapeutic Peptides by Thermally Responsive Polymers” - \$394.94; “Abell/Temporary Mucosal Gastric Electrical Stimulation Device & Method for Treating Gastroparesis” - \$467.50; “Abell/CIP/System for Diagnosis and Prediction of Therapy for Nutritional & Metabolic Disorders” - \$918.00; “General” - \$58.08 and “O’Callaghan/Cholesterol Treatment of S. Aureus Keratitis” - \$668.80, respectively.)

TOTAL DUE.....\$ 4,068.20

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
November 18, 2010**

BE IT REMEMBERED, That the Jackson State University Board Search Committee met at the Norman C. Nelson Student Union at the University of Mississippi Medical Center in Jackson, Mississippi, at 1:00 p.m., and pursuant to notice in writing to each and every member of said Committee, said date being at least five days prior to this November 18, 2010 meeting. At the above-named place there were present the following Committee members to wit: Dr. Bettye Neely, Mr. Bob Owens, Mr. Alan Perry, Mr. C. D. Smith, and Ms. Amy Whitten. The following JSU Interview Search Advisory Committee members were present: Mr. Robert Cook, Chairperson of the JSU Tiger Fund; Dr. Glenda Glover, Dean of the College of Business at JSU; Dr. Mark Hardy, Dean of Science Tech & Engineering at JSU; Dr. Rosetta Houston, President of the JSU Staff Senate; Mr. Andross Milteer, JSU Student Government Association President, Dr. Mahasin Owens-Sabir, President of the JSU Faculty Senate; Dr. John Peoples, President Emeritus and Mr. Terry Woodard, President, Jackson State University National Alumni Association, Inc. Mr. Ed Blakeslee, Dr. Stacy Davidson, Mr. Aubrey Patterson, Ms. Christy Pickering, Ms. Robin Robinson and Dr. Douglas Rouse also attended the meeting. The meeting was called to order by Mr. Bob Owens, Chair of the Board Search Committee.

EXECUTIVE SESSION

On motion by Trustee Neely, and unanimously passed by those present, the Committee voted to close the meeting to determine whether or not it should declare an Executive Session. On motion by Trustee Perry, seconded by Trustee Smith, and unanimously passed by those present, the Committee **voted to go into Executive Session** for the reason reported to the public and stated in these minutes, as follows:

Discussion of a personnel matter at Jackson State University.

During Executive Session, the following matter was discussed:

The Board Search Committee for the Jackson State University presidential search conducted second-round interviews of three of the six candidates recommended by the Campus Search Advisory Committee.

On motion by Trustee Perry, seconded by Trustee Whitten, and unanimously passed by those present, the Committee voted unanimously to return to Open Session.

ADJOURNMENT

There being no further business to come before the Board Search Committee, on motion by Trustee Neely, seconded by Trustee Owens, and unanimously passed by those present, the Committee members voted unanimously to adjourn the meeting.

President, Board of Trustees of State Institutions of Higher Learning

Commissioner, Board of Trustees of State Institutions of Higher Learning

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
November 19, 2010**

BE IT REMEMBERED, That the Alcorn State University Board Search Committee met at the Norman C. Nelson Student Union at the University of Mississippi Medical Center in Jackson, Mississippi, at 8:30 a.m., and pursuant to notice in writing to each and every member of said Committee, said date being at least five days prior to this November 19, 2010 meeting. At the above-named place there were present the following Committee members to wit: Mr. Ed Blakeslee, Dr. Stacy Davidson, Dr. Bettye Neely, Dr. Douglas Rouse, and Mr. C. D. Smith. The following ASU Interview Search Advisory Committee members were present: Dr. Berry Bequette, Dean, School of Agriculture, Research, Extension & Applied Sciences at ASU; Mr. Cory Cooper, Student Government Association President; Dr. Idusuyi Dickson, President of the ASU Faculty Senate; Mr. Robert Gage, Chairperson of the ASU Foundation; Mrs. Donna Hayden, President of the ASU Staff Senate; Mr. Stephen McDaniel, Executive Director of the ASU Foundation; Mr. James McDonald, Immediate Past president of the ASU National Alumni Association; and Mr. Paul Winfield, Mayor of Vicksburg, Mississippi. Mr. Bob Owens, Mr. Aubrey Patterson, Mr. Alan Perry, Ms. Christy Pickering, Ms. Robin Robinson, and Ms. Amy Whitten also attended the meeting. The meeting was called to order by Mr. C. D. Smith, Chair of the Board Search Committee.

EXECUTIVE SESSION

On motion by Trustee Neely, seconded by Trustee Rouse, and unanimously passed by those present, the Committee voted to close the meeting to determine whether or not it should declare an Executive Session. On motion by Trustee Rouse, seconded by Trustee Blakeslee, and unanimously passed by those present, the Committee **voted to go into Executive Session** for the reason reported to the public and stated in these minutes, as follows:

Discussion of a personnel matter at Alcorn State University.

During Executive Session, the following matter was discussed:

The Board Search Committee for the Alcorn State University presidential search conducted second-round interviews for two of the six candidates recommended by the Campus Search Advisory Committee.

On motion by Trustee Neely, seconded by Trustee Blakeslee, and unanimously passed by those present, the Committee voted to return to Open Session.

ADJOURNMENT

There being no further business to come before the Board Search Committee, on motion by Trustee Blakeslee, seconded by Trustee Davidson, and unanimously passed by those present, the Committee members voted to adjourn the meeting.

President, Board of Trustees of State Institutions of Higher Learning

Commissioner, Board of Trustees of State Institutions of Higher Learning

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
November 22, 2010**

BE IT REMEMBERED, That the Board of Trustees of State Institutions of Higher Learning of the State of Mississippi held a teleconference meeting on November 22, 2010 at 9:00 a.m. with public attendance available at the Board Office in Jackson, Mississippi. The following Board members participated in the teleconference: Mr. Ed Blakeslee, Dr. Stacy Davidson, Dr. Bettye Henderson Neely, Mr. Bob Owens, Mr. Aubrey Patterson, Mr. Alan Perry, Ms. Robin J. Robinson, Dr. Douglas Rouse, Mr. C.D. Smith and Ms. Amy Whitten. Ms. Christy Pickering and Mr. Scott Ross were absent. The meeting was called to order by President Dr. Bettye Henderson Neely.

In accordance with Miss. Code Ann., §25-41-1, as amended, all votes taken during this teleconference meeting were recorded by name in a roll-call. The teleconference meeting was held to discuss a personnel matter at Alcorn State University and a personnel matter at Jackson State University.

EXECUTIVE SESSION

On motion by Trustee Perry, seconded by Trustee Smith, with Trustees Pickering and Ross absent and not voting, all Trustees legally present and participating voted unanimously to close the meeting to determine whether or not it should declare an Executive Session. On motion by Trustee Perry, seconded by Trustee Blakeslee, with Trustees Pickering and Ross absent and not voting, all Trustees legally present and participating **voted unanimously to go into Executive Session** for the reasons reported to the public and stated in these minutes, as follows:

Discussion of a personnel matter at Alcorn State University and
Discussion of a personnel matter at Jackson State University.

During Executive Session, the following matters were discussed and/or voted upon:

On motion by Trustee Smith, seconded by Trustee Rouse, with Trustees Pickering and Ross absent and not voting, all Trustees legally present and participating voted unanimously to choose Dr. M. Christopher Brown, II as the preferred candidate for the Alcorn State University presidential search. Dr. Brown will participate in open, day-long interviews on the ASU campus with various university and community constituency groups. The date has not been determined.

On motion by Trustee Owens, seconded by Trustee Robinson, with Trustees Pickering and Ross absent and not voting, all Trustees legally present and participating voted unanimously to choose Dr. Carolyn Meyers as the preferred candidate for the Jackson State University presidential search. Dr. Meyers will participate in open, day-long interviews on the JSU campus with various university and community constituency groups. The date has not been determined.

On motion by Trustee Perry, seconded by Trustee Davidson, with Trustees Pickering, Robinson and Ross absent and not voting, all Trustees legally present and participating voted unanimously to return to Open Session.

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
November 22, 2010**

ADJOURNMENT

There being no further business to come before the Board, on a motion by Trustee Smith, seconded by Trustee Davidson, with Trustees Pickering, Robinson and Ross absent and not voting, the Board members voted to adjourn the meeting.

President, Board of Trustees of State Institutions of Higher Learning

Commissioner, Board of Trustees of State Institutions of Higher Learning

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
November 30, 2010**

BE IT REMEMBERED, That the Board of Trustees of State Institutions of Higher Learning of the State of Mississippi held a teleconference meeting on November 30, 2010 at approximately 3:30 p.m. with public attendance available in the President's Dining Room at the Bristow Dining Facility in Lorman, Mississippi. The following Board members participated in the teleconference: Mr. Ed Blakeslee, Dr. Stacy Davidson, Dr. Bettye Henderson Neely, Mr. Bob Owens, Mr. Aubrey Patterson, Mr. Alan Perry, Ms. Christy Pickering, Ms. Robin J. Robinson, Dr. Douglas Rouse, Mr. C.D. Smith and Ms. Amy Whitten. Mr. Scott Ross was absent. The meeting was called to order by President Dr. Bettye Henderson Neely.

In accordance with Miss. Code Ann., §25-41-1, as amended, all votes taken during this teleconference meeting were recorded by name in a roll-call. The teleconference meeting was held to discuss a personnel matter at Alcorn State University.

EXECUTIVE SESSION

On motion by Trustee Perry, with Trustee Ross absent and not voting, all Trustees legally present and participating voted unanimously to close the meeting to determine whether or not it should declare an Executive Session. On motion by Trustee Blakeslee, seconded by Trustee Davidson, with Trustee Ross absent and not voting, all Trustees legally present and participating **voted unanimously to go into Executive Session** for the reasons reported to the public and stated in these minutes, as follows:

Discussion of a personnel matter at Alcorn State University.

During Executive Session, the following matters were discussed and/or voted upon:

On motion by Trustee Smith, seconded by Trustee Neely, with Trustee Ross absent and not voting, all Trustees legally present and participating voted unanimously to appoint Dr. M. Christopher Brown, II as the new President of Alcorn State University at a salary of \$192,937.50 a year, and authorized the Commissioner to negotiate the remaining terms of a four-year contract of employment.

On motion by Trustee Perry, seconded by Trustee Rouse, with Trustees Owens, Ross and Whitten absent and not voting, all Trustees legally present and participating voted unanimously to return to Open Session.

ADJOURNMENT

There being no further business to come before the Board, on a motion by Trustee Perry, seconded by Trustee Rouse, with Trustees Owens, Ross and Whitten absent and not voting, the Board members voted to adjourn the meeting.

President, Board of Trustees of State Institutions of Higher Learning

Commissioner, Board of Trustees of State Institutions of Higher Learning

**MINUTES OF THE BOARD OF TRUSTEES OF
STATE INSTITUTIONS OF HIGHER LEARNING
December 1, 2010**

BE IT REMEMBERED, That the Board of Trustees of State Institutions of Higher Learning of the State of Mississippi held a teleconference meeting on December 1, 2010 at approximately 3:15 p.m. with public attendance available at the Ballroom A in the Student Center at Jackson State University in Jackson, Mississippi. The following Board members participated in the teleconference: Mr. Ed Blakeslee, Dr. Stacy Davidson, Dr. Bettye Henderson Neely, Mr. Bob Owens, Mr. Aubrey Patterson, Mr. Alan Perry, Ms. Christy Pickering, Ms. Robin J. Robinson, Mr. C.D. Smith and Ms. Amy Whitten. Mr. Scott Ross and Dr. Douglas Rouse were absent. The meeting was called to order by President Dr. Bettye Henderson Neely.

In accordance with Miss. Code Ann., §25-41-1, as amended, all votes taken during this teleconference meeting were recorded by name in a roll-call. The teleconference meeting was held to discuss a personnel matter at Jackson State University.

EXECUTIVE SESSION

On motion by Trustee Whitten, with Trustees Ross and Rouse absent and not voting, all Trustees legally present and participating voted unanimously to close the meeting to determine whether or not it should declare an Executive Session. On motion by Trustee Whitten, seconded by Trustee Robinson, with Trustees Ross and Rouse absent and not voting, all Trustees legally present and participating **voted unanimously to go into Executive Session** for the reasons reported to the public and stated in these minutes, as follows:

Discussion of a personnel matter at Jackson State University.

During Executive Session, the following matters were discussed and/or voted upon:

On motion by Trustee Pickering, seconded by Trustee Whitten, with Trustees Ross and Rouse absent and not voting, all Trustees legally present and participating voted unanimously to appoint Dr. Carolyn Meyers as the new President of Jackson State University at a salary of \$220,500, plus a \$50,000 salary supplement from the Jackson State University Foundation, Inc., and authorized the Commissioner to negotiate the remaining terms of a four-year contract of employment.

On motion by Trustee Pickering, seconded by Trustee Patterson, with Trustees Ross and Rouse absent and not voting, all Trustees legally present and participating voted unanimously to return to Open Session.

ADJOURNMENT

There being no further business to come before the Board, on a motion by Trustee Robinson, seconded by Trustee Pickering, with Trustees Ross and Rouse absent and not voting, the Board members voted to adjourn the meeting.

President, Board of Trustees of State Institutions of Higher Learning

Commissioner, Board of Trustees of State Institutions of Higher Learning

CONSENT AGENDAS

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
BUDGET, FINANCE & AUDIT
January 20, 2011
Page 1 of 4

1. IHL EXECUTIVE OFFICE – APPROVAL OF SOFTWARE LICENSING AGREEMENT

Agenda Item Request: Mississippi Institutions of Higher Learning (IHL) requests approval to enter into a perpetual software license agreement from **Regional Economic Models, Inc. (REMI)**.

Contractor's Legal Name: **Regional Economic Models, Incorporated (REMI)**

History of Contract: New Contract

Specific type of contract: Software License Agreement

Purpose: The purpose of the REMI software is to provide a dynamic forecasting and policy analysis tool used in support of impact studies of economic development projects, state policy proposals, and tax policy proposals. The model generates realistic year-by-year estimates of total regional effects of such policy initiatives. Similarly the model can be used to estimate the economic impact of natural and unnatural disasters. Examples of projects for which this model could be used include: analysis of the economic impact of the Toyota Plant to northeast Mississippi; effect of a hurricane or tornado; economic impact of increasing income tax; projected population changes, and American Recovery and Reinvestment Act (ARRA) spending on Mississippi's economy.

Scope of Work: Two models will be provided: 1) State of Mississippi model consisting of 169 sectors and 2) 82 regional Mississippi counties consisting of 70 sectors. REMI will provide the software along with annual updates and maintenance based on the most recent data and research results. Unlimited telephone consulting on the model use and interpretation of results will also be provided. The agreement entitles specific personnel of the IHL Executive Office to attend any REMI-sponsored conference and educational seminars. The perpetual license also entitles the research universities to purchase secondary licenses at a reduced price.

Term of contract: This is a perpetual software license agreement and is effective January 21, 2011, contingent upon Board approval. Annual renewal is subject to payment of the annual maintenance fee.

Termination Options: The contract may be terminated based on either party's failure to materially comply with the contract's terms and conditions upon the non-defaulting party providing the defaulting party written notice to cure such default within a sixty-day period.

Contract Amount: The Perpetual License fee is \$312,000. The initial annual maintenance fee will be \$64,500 and is subject to change without notice. The annual fee

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
 CONSENT AGENDA
 BUDGET, FINANCE & AUDIT
 January 20, 2011
 Page 2 of 4**

for the secondary license to participating research universities will be \$15,000 each, and this annual fee will be paid by the participating research universities.

Funding Source for Contract: The agreement will be funded by the Governor’s office in conjunction with the Deep Water Horizon Economic Impact Study. The annual maintenance fee will be paid by IHL in subsequent years. Costs may be offset by charging clients for analysis.

Contractor Selection Process: REMI is the only contractor of this model.

Staff Recommendation: Based on Board Policy 707.01, Land, Property and Service Contracts, Board approval is required prior to execution of the contract for all other land, personal property, and service contracts that require an aggregate total expenditure of more than \$250,000. The agreement has been reviewed and approved by the Attorney General’s Office. Board staff recommends approval of this item.

2. MSU – APPROVAL TO ESCALATE THE ATHLETICS BUDGET

Mississippi State University requests approval to revise the Athletics budget. The budget escalation is requested in order to renovate the Spencer Track.

Consolidated	Original FY 2010-11 Budget	Revision/ Escalation	Revised FY 2010-11 Budget
Salaries, Wages, & Fringe Benefits	\$ 12,405,987	-	\$ 12,405,987
Travel	3,642,402	-	3,642,402
Contractual Services	14,268,362	1,800,000	16,068,362
Commodities	2,922,797	-	2,922,797
Capital Outlay:			
Other Than Equipment	-	-	-
Equipment	180,500	-	180,500
Total Capital Outlay	180,500	-	180,500
Subsidies, Loans, & Grants	3,939,134		3,939,134
Total	\$ 37,359,182	\$ 1,800,000	\$ 39,159,182

Funding Source for Budget Escalation: The escalation is funded by SEC television proceeds received after the submission of the original budget.

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
BUDGET, FINANCE & AUDIT
January 20, 2011
Page 3 of 4

Staff recommendation: Based on Board Policy 701.06, Budget Escalations and Revisions, all escalations of the several institutions and separately budgeted units must be submitted through the Commissioner to the Board of Trustees for approval prior to implementation. Board staff recommends approval of this item.

3. UMMC – APPROVAL OF CONTRACTUAL SERVICES AGREEMENT

Agenda Item Request: The University of Mississippi Medical Center (UMMC) requests approval to enter into a sublease agreement to lease 26,798 square feet of space from **University Physicians, PLLC**.

Contractor's Legal Name: **University Physicians, PLLC**.

History of Contract: New Sublease Agreement University Physicians is the UMMC affiliated medical clinic (physicians' private practice group). To date the Board has approved two other subleases between UMMC and University Physicians: 1) June 2010 - space to be used as the new clinic located at Grants Ferry Road in Flowood, MS to provide ancillary clinical services at that location to include radiology, lab services, therapy services, and cardiac diagnostic services; and 2) October 2010-space to provide ancillary clinical laboratory services at the OB GYN clinic at the Mirror Lake location in Flowood, MS.

Specific type of contract: This is a sublease agreement. A master lease agreement exists between University Physicians and SC-Clinton, MS, LLC. University Physicians is subleasing space to UMMC.

Purpose: The purpose of sublease is to lease 26,798 square feet of office space located at 500 Clinton Center Drive, Clinton, Mississippi. The hospital billing operation will be moved into shared space with the University Physicians' billing operation as it was recently decided to administratively consolidate the two. The consolidation of the operations will result in better customer service for patients and provide economies of scale for the billing operation.

Scope of Work: University Physicians agrees to provide utilities, parking, security, janitorial and routine maintenance services. UMMC agrees to provide telephones and related services.

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
BUDGET, FINANCE & AUDIT
January 20, 2011
Page 4 of 4

Term of contract: The contract length is three (3) years – February 1, 2011 to January 31, 2014.

Termination Options: There is no termination clause within the existing contract.

Contract Amount: The total estimated cost for the three-year period is \$1,276,773.90 which includes an annual one-percent increase for the base rental fee plus operational costs.

Funding Source for Contract: The agreement will be funded by hospital patient revenue.

Contractor Selection Process: At present, the hospital's billing office is located at the Jackson Medical Mall, while the University Physician's billing office is located at an office building in Clinton, MS, on which they have a 15 year lease. In an effort by UMMC to achieve economies of scale, the decision was made to merge billing operations of University Physicians with those of the University Hospitals and Health Systems. In addition, a decision has been made to bring currently outsourced hospital billing components back internally and to incorporate key areas of the hospital's revenue cycle (financial counseling, scheduling and pre-arrival services) into a contiguous space. The decision creates a need for additional full time hospital employees and hospital work space.

UMMC requested Cooke Douglas, Farr and Lemons, Architects and Engineers, PA, perform an analysis to help determine if relocating the hospital billing office to the office building in Clinton was more feasible than relocating the University Physicians to the Jackson Medical Mall. It was determined through this analysis that it was more feasible for the hospital to relocate its billing office to the Clinton office building and to directly lease the needed space from University Physicians, which would lead to a cost savings of approximately \$20,000 per year, based on difference between the costs per square feet. In addition, in order to move the University Physician's billing office to the Jackson Medical Mall, a pay out of the University Physician's current 15 year lease would be incurred

Staff Recommendation: Based on Board Policy 707.01, Land, Property and Service Contracts, Board approval is required prior to execution of leases in an amount greater than \$100,000. The agreement has been reviewed and approved by the Attorney General's Office. Board staff recommends approval of this item.

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
REAL ESTATE
JANUARY 20, 2011
Page 1 of 21**

Note: Project numbers beginning with the prefix "GS" designate projects that the Bureau of Building provides management oversight for and are funded partially or wholly with state Bureau of Building bond revenues. Project numbers beginning with the prefix "IHL" designate projects that are funded from university self-generated sources including but not limited to donations, fees, and grants.

Board Policy §902, Initiation of Construction Projects

The Board must approve the initiation of a project for the construction of new facilities, repairs and renovations to existing facilities and requests for a capital outlay with a total project budget exceeding \$1,000,000 regardless of how the projects are financed. It is the intent of the Board that its appropriate staff under the direction of the Commissioner shall be involved in all phases of building projects requiring approval by the Board. All construction, repairs, and renovation projects with a total budget of \$1,000,000 or less may be approved by the Institutional Executive Officer. However, all projects utilizing any state bond funds, including Ayers funds, must be initiated with STAFF approval from the Office of Real Estate and Facilities. No further approvals are required by IHL staff for projects of \$1,000,000 or less unless the budget changes. All budget changes for these projects must be reported to the Office of Real Estate and Facilities.

Board Policy §904(A), Board Approval

When funding has been secured from whatever source, each institution shall bring all new projects to the Board for the approval of the project initiation and the appointment of a design professional, as required in Board Policy §902, Initiation of Construction Projects. This request shall include a detailed description of the work to be accomplished, the total budget, the funding source and the design professional recommended to the Board for approval.

After the Board has granted approval of both the initiation of a project and the appointment of a design professional, no further Board action or approval is required for the completion of the project if the following conditions are met:

- 1. The detailed description of the work to be accomplished, as specifically approved by the Board within the project initiation, has not changed.*
- 2. The total project budget has not increased beyond the amount specifically approved by the Board as part of the project initiation;*
- 3. The funding source has not changed from that specifically approved by the Board as part of the project initiation; and*
- 4. The design professional previously approved by the Board has not changed.*

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
REAL ESTATE
JANUARY 20, 2011
Page 2 of 21**

If the above four conditions have been met, the Board's Real Estate and Facilities staff, through the Commissioner, shall have the authority to approve any and all necessary documents related to the completion of the subject construction project, including the approval of construction documents, the advertisement and receipt of bids, the approval of a bid, the award of a contract and any change orders.

Prior to the commencement of construction, the Board must approve the exterior design of the major buildings that have aesthetic impact on the overall campus, regardless of the cost of the project. This requirement applies to all buildings and facilities on an institution's property even if the land is leased to an institution's affiliated entity or a private developer.

Board Policy §917, Naming Buildings and Facilities

Board approval must be obtained prior to naming or re-naming any institutional building or facility. Board approval must also be obtained prior to naming or renaming any building or facility built on university property leased to a university affiliated entity, a private developer or any other individual or entity.

Board Policy §919, Pre-requisites for Building Modification or Demolition

Prior to scheduling a building on an institution's property for restoration, improvement, construction, repair, renovation, rehabilitation, demolition or similar work, the institution shall secure an inspection and approval from the Mississippi Department of Environmental Quality and a permit or written permission from the Mississippi Department of Archives and History authorizing the requested building action. After obtaining approval from these two agencies, a request for the building modification or demolition shall be submitted to the Board for approval. The request to the Board must include documentation evidencing approval by the Department of Environmental Quality and the Department of Archives and History.

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
REAL ESTATE
JANUARY 20, 2011
Page 3 of 21**

APPROVAL OF INITIATIONS OF PROJECTS/APPOINTMENTS OF PROFESSIONALS

BUREAU OF BUILDING PROJECTS

1. MVSU – GS 106-237– RW Harrison Renovation / Expansion – Phase I

Project Request: Mississippi Valley State University requests approval to initiate a project, RW Harrison Renovation / Expansion Phase I, to expand the existing HPER facility and proceed with the professional qualification selection process.

Design Professional: N/A

Purpose: Phase I of this project will expand the existing HPER building to provide space and facilities for academic instruction, co-curricular activities, and athletic performance with adequate seating capacity for attending audiences. The total project proposes to build an addition to and renovate the existing HPER facility. Work will be completed in two phases. This project, Phase I, will construct the addition to accommodate academic assemblies, convocations, and athletic events which will be constructed with existing state bond funds. Phase II will renovate the existing HPER building to accommodate the HPER program, academic support space and accommodations for wellness instructional functions. Funding for Phase II will be requested by the university during the 2011 Legislative Session.

History: This project was initiated in early 2001 and proposed to construct a new stand alone Health and Wellness Facility that would provide accommodations for health and wellness activities in addition to serving a new assembly area and athletic performance facility. The project was initially funded for preplanning through design development. The project budget was established at \$22,000,000 and the university received an initial appropriation of \$8,000,000. Over the years through multiple unsuccessful funding requests, the university sought to refocus the intent of the project to accommodate HPER academic support in addition to wellness activities and use the existing appropriation toward funding a streamlined, renovation/addition of the existing facility as a repurposed academic and assembly support space. Mississippi Valley State University is seeking approval to initiate the project in accordance with Board Policy §904(A), Board Approval, that requires each institution to bring all new projects to the Board for the approval of the project initiation and the appointment of a design professional, as required in Board Policy §902, Initiation of Construction Projects.

Project Initiation Date: January 20, 2011

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
REAL ESTATE
JANUARY 20, 2011
Page 4 of 21**

Date of Original Construction: N/A

Date of Last Renovation: N/A

Project Budget:

	<i>Estimated</i>
Construction Cost:	\$3,227,500.00
Architectural and Engineering Fees:	840,000.00
Miscellaneous Project Costs:	2,500.00
Commissioning:	300,000.00
Furniture and Equipment:	850,000.00
Telecommunications:	480,000.00
Contingency:	<u>538,525.00</u>
Total Project Budget	\$6,238,525.00

Funding Source(s): SB 2988, Laws of 2003 (\$138,525); SB 2010, Laws of 2004 (\$6,100,000)

Staff Recommendation: Board staff recommends approval of this item.

IHL PROJECTS

2. UM – IHL 207-345 – University Housing

Project Request: The University of Mississippi requests approval to appoint Cooke Douglass Farr Lemons and Eley Guild Hardy-A Joint Venture, design professional. The university also seeks approval to select and appoint a Construction Manager-Advisor for the University Housing project.

Design Professional: Cooke Douglass Farr Lemons + Eley Guild Hardy – A Joint Venture

Purpose: The University request approval to award Cooke Douglass Farr Lemons + Eley Guild Hardy– A Joint Venture, as design professionals for this project. Twelve qualified firms submitted RFQs for this project and a committee of seven, including one IHL representative, reviewed these submissions using established RFQ methods, interviewing the five highest ranked submissions.

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
REAL ESTATE
JANUARY 20, 2011
Page 5 of 21

The University also seeks approval to select and appoint a Construction Manager under the CM-Advisor method of project delivery. The selection will be made after publicly advertising for suitably qualified firms and carrying out interviews. The goal of this residence hall project is to have rooms open and occupied for the Fall of 2012. This extraordinary tight schedule has been selected due to operational circumstances. The university brought approximately 1,200 beds on-line during the past 18 months. However at the beginning of the Fall 2010 semester the university found itself over capacity. In addition, applications for the Fall 2011 semester continue to increase over last fall which creates demand for more on campus housing.

With this in mind, the university feels it would be to its advantage for this project to utilize the Construction Manager-Advisor form of delivery. This is the method that the University of Mississippi successfully used in bringing the LuckyDay Residential College on-line with a very similar and equally challenging construction schedule. The University of Mississippi is seeking approval to initiate the project in accordance with Board Policy §904(A), Board Approval, that requires each institution to bring all new projects to the Board for the approval of the project initiation and the appointment of a design professional, as required in Board Policy §902, Initiation of Construction Projects.

Project Initiation Date: November 18, 2010

Date of Original Construction: N/A

Date of Last Renovation: N/A

Project Budget:

	<i>Estimated</i>
Construction Cost:	\$24,000,000.00
Architectural and Engineering Fees:	1,723,527.90
Miscellaneous Project Costs:	3,270,200.00
Contingency:	<u>3,006,272.10</u>
Total Project Budget	\$32,000,000.00

Funding Source(s): Design costs to be funded from Auxiliary (Student Housing) Funds. Construction Cost will be covered by a combination of Auxiliary Funds and UM EBC bond proceeds.

Staff Recommendation: Board staff recommends approval of this item.

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
REAL ESTATE
JANUARY 20, 2011
Page 6 of 21**

3. UMMC – IHL 209-539 – Lexington Hospital Renovations

Project Request: The University of Mississippi Medical Center requests approval to initiate a project, Lexington Hospital Renovations, and to appoint The McCarty Company Design Group, P.A. as design professional.

Design Professional: The McCarty Group Company Design Group, P.A.

Purpose: The Lexington Hospital was originally purchased in 2000. The project will include renovation of approximately 16,425 s.f. of existing first floor areas to provide a more functional and appropriately sized Emergency Department, increase utilization of the Outpatient/Specialty Clinic and to provide better traffic control. Existing utility service, HAVC, plumbing, fire protection, and medical gas systems will all be upgraded. The University of Mississippi Medical Center is seeking approval to initiate the project in accordance with Board Policy §904(A), Board Approval, that requires each institution to bring all new projects to the Board for the approval of the project initiation and the appointment of a design professional, as required in Board Policy §902, Initiation of Construction Projects.

Project Initiation Date: January 20, 2011

Date of Original Construction: N/A

Date of Last Renovation: N/A

Project Budget:

	<i>Estimated</i>
Construction Cost:	\$2,775,180.00
Architectural and Engineering Fees:	269,138.00
Miscellaneous Project Costs:	407,985.00
Contingency:	<u>338,174.00</u>
Total Project Budget	\$3,790,477.00

Funding Source(s): Hospital Patient Revenue (\$3,790,477)

Staff Recommendation: Board staff recommends approval of this item.

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
REAL ESTATE
JANUARY 20, 2011
Page 7 of 21**

APPROVAL OF BUDGET INCREASES AND/OR CHANGES OF SCOPE

BUREAU OF BUILDING PROJECTS

4. MVSU – GS 106-230 – Stadium Seating Replacement

Project Request: Mississippi Valley State University requests approval to increase the project budget for the Stadium Seating Replacement project from \$1,000,000 to \$4,900,000 for an increase in the amount of \$3,900,000.

Project Phase: Design Phase

Design Professional: JBHM Architects

General Contractor: N/A

Purpose/Justification: The project is currently in the design phase. This is the first budget escalation request made for this project by the university. The project was an emergency declaration submitted March 26, 2010. The project was subsequently initiated with Board staff on September 1, 2010 with a project budget of \$1,000,000. The budget increase is necessary based on the inclusion of the seating replacement. The project will demolish the existing visitor's side of the stadium and replace the visitor's side with new seating. The current budget was an estimate of the project costs and has since been updated to reflect more accurate market costs for the project. Mississippi Valley State University is acting in accordance with Board Policy §904(A), Board Approval, that requires each institution to submit all project budget increases to the Board for approval.

Project Initiation Date: September 1, 2010

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
 CONSENT AGENDA
 REAL ESTATE
 JANUARY 20, 2011
 Page 8 of 21**

Project Budget:

	Current Budget	Proposed Budget	Amount (+/-)
Construction Costs	\$ 838,750.00	\$ 4,177,500.00	\$ 3,338,750.00
Architectural and Engineering Fees	\$ 110,000.00	\$ 495,000.00	\$ 385,000.00
Miscellaneous Project Costs	\$ 1,250.00	\$ 2,500.00	\$ 1,250.00
Contingency	\$ 50,000.00	\$ 225,000.00	\$ 175,000.00
Total Project Budget	\$ 1,000,000.00	\$ 4,900,000.00	\$ 3,900,000.00

Funding Source(s): HB 1701, Laws of 2010 (\$4,500,000); BOB Discretionary Funds (\$400,000)

Staff Recommendation: Board staff recommends approval of this item.

5. UM – GS 107-302 – Lamar Hall Renovations

Project Request: The University of Mississippi requests approval to change the scope of the project as well as increase the project budget for the Lamar Hall Renovations project from \$5,000,000 to \$7,500,000 for an increase in the amount of \$2,500,000.

Project Phase: Design Phase

Design Professional: Barlow Eddy Jenkins

General Contractor: N/A

Purpose/Justification: The project is currently in the design phase. This is the second budget escalation request made for this project by the university. The project will address mechanical, electrical, and other infrastructure issues to ensure many more decades of efficient operation. In addition, this building brings needed classroom and academic office spaces into the academic undergraduate core of campus. The current configuration of this building includes many common areas and other non-instructional spaces which can be converted to classrooms.

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
 CONSENT AGENDA
 REAL ESTATE
 JANUARY 20, 2011
 Page 9 of 21**

History: The project began as a \$3 million Bureau of Building project to partially renovate Lamar Hall with a focus on mechanical and electrical issues. \$2 million of state bond funds were added to this project in order to convert some existing space into classrooms. The project is being expanded again in order to increase the yield of classrooms within this phase due to growth experienced this year and continuing growth in application rates. The university believes it is imperative to increase the scope of the project now to create new classrooms from existing space in order to appropriately accommodate enrollment growth. The University of Mississippi is acting in accordance with Board Policy §904(A), Board Approval, that requires each institution to submit all project budget increases to the Board for approval.

Project Initiation Date: August 20, 2009

Project Budget:

	Current Budget	Proposed Budget	Amount (+/-)
Construction Costs	\$ 3,905,500.00	\$ 5,700,000.00	\$ 1,794,500.00
Architectural and Engineering Fees	\$ 386,429.55	\$ 530,378.90	\$ 143,949.35
Miscellaneous Project Costs	\$ 53,400.00	\$ 116,400.00	\$ 63,000.00
Contingency	\$ 654,670.45	\$ 953,221.10	\$ 298,550.65
Total Project Budget	\$ 5,000,000.00	\$ 7,300,000.00	\$ 2,300,000.00

Funding Source(s): HB 1722, Laws of 2009 (\$3,000,000); HB 1701, Laws of 2010 (\$2,000,000); Internal R&R (\$2,300,000)

Staff Recommendation: Board staff recommends approval of this item.

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
REAL ESTATE
JANUARY 20, 2011
Page 10 of 21

6. UMMC – GS 109-195 – AED (Adult Emergency Department) Renovations

Project Request: The University of Mississippi Medical Center requests approval to increase the project budget for the AED (Adult Emergency Department) Renovations project from \$9,630,000 to \$10,530,000 for an increase in the amount of \$900,000.

Project Phase: Design Phase

Design Professional: Dale/Morris Architects

General Contractor: N/A

Purpose/Justification: The project is currently in the design phase. This is the third budget escalation request made for this project by the university. Prior budget increases include June 18, 2009 to include HB 1722, Laws of 2009 funding and August 21, 2010 to include HB 1641, Laws of 2008 funding. This project provides for the total renovation of existing Adult Emergency Room areas, expanding into Pediatric ER space to be vacated in 2011. The project will include all new/updated utility services, HVAC systems and patient flow re-design in order to provide a modern Adult ER/Trauma Center.

History: Upon completion of the Construction Document Design phase and further review of the project's estimated cost by the Professionals, the latest estimated budget cost exceeds the available funding previously identified for this project. House Bill 1701, Laws of 2010, provides a total of \$6,000,000 for UMMC Repair/Renovation Projects. UMMC's current listing of priority Projects is estimated to total \$5,100,000.00 which would allow \$900,000 of this house bill to be transferred to the current project as supplemental funding. This funding would increase the available contingency for the project, and with use of bidding alternates will insure that a contract can be awarded at bid day. Therefore, UMMC requests permission to escalate the project budget to place it more in line with the Professional's current estimate (including increase in the project contingency), transfer of \$900,000.00 supplemental funding from HB 1701, Laws of 2010 sources and subsequent notification to the Bureau of Buildings accordingly. The University of Mississippi Medical Center is acting in accordance with Board Policy §904(A), Board Approval, that requires each institution to submit all project budget increases to the Board for approval.

Project Initiation Date: November 14, 2007

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
 CONSENT AGENDA
 REAL ESTATE
 JANUARY 20, 2011
 Page 11 of 21**

Project Budget:

	Current Budget	Proposed Budget	Amount (+/-)
Construction Costs	\$ 8,046,403.00	\$ 8,141,065.00	\$ 94,662.00
Architectural and Engineering Fees	\$ 1,028,087.00	\$ 708,552.00	\$ (319,535.00)
Miscellaneous Project Costs	\$ 29,275.00	\$ 875,071.00	\$ 845,796.00
Contingency	\$ 526,235.00	\$ 805,312.00	\$ 279,077.00
Total Project Budget	\$ 9,630,000.00	\$ 10,530,000.00	\$ 900,000.00

Funding Source(s): HB 246, Laws of 2007 (\$5,130,000); HB 1641, Laws of 2008 (\$2,000,000); HB 1722, Laws of 2009 (\$2,500,000); HB 1701, Laws of 2010 (\$900,000)

Staff Recommendation: Board staff recommends approval of this item.

7. USM – GS 108-217 – Science Building and Recreation Building Repair and Renovation-Gulf Park

Project Request: The University of Southern Mississippi requests approval to change the scope of the project as well as increase the project budget for the Science Building and Recreation Building Repair and Renovation project from \$7,659,270.00 to \$10,792,109.24 for an increase in the amount of \$3,132,409.24.

Project Phase: Design Phase

Design Professional: Studio South Architects

General Contractor: N/A

Purpose/Justification: The project is currently in the design phase. This is the first budget escalation request made for this project by the university. The university request that GS #108-217-Science Building-Gulf Park and GS #114-015-Recreation Building Repair and Renovation-Gulf Park be combined into one larger project which

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
REAL ESTATE
JANUARY 20, 2011
Page 12 of 21

the university feels will provide a cost savings to the university in contractor overhead as well as reduce multi-contractor coordination issues on the site and deliver a more viable overall cost effective project. The project scope will include the construction of the new Science Building as well as the renovation of the current Physical Plant Building into Health Science classroom and lab space. The project will also renovate and relocate the Physical Plant operations to the hurricane damaged Recreation Building and which will be repaired and renovated. The overall project takes advantage of the current building assets of the campus to compliment the Science Building addition and is keeping with the educational mission for the Gulf Park Campus

History: GS #108-217, the Science Building was initiated on September 20, 2003 prior to Hurricane Katrina as a pre-design project through the Bureau of Building. The Science Building went through the design process with Schematic Design submittals approved by IHL on June 6, 2003, Design Development Documents on December 3, 2003, and Construction Documents on October 20, 2005 with an indicated project budget of \$7,659,270.00. The project was going out for bid when Hurricane Katrina hit the Gulf Coast. The project was shelved and was restarted in 2010. The project now consists of two buildings, which include the main Science Building and the renovation of the existing Physical Plant building. GS #114-015, Recreation Building Repair and Renovation was initiated by the Board on January 21, 2010 with an initial project budget of \$460,256.00. The University of Southern Mississippi is acting in accordance with Board Policy §904(A), Board Approval, that requires each institution to submit all project budget increases to the Board for approval.

Project Initiation Date: (GS #108-217) September 30, 2003; (GS #114-015) January 21, 2010

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
 CONSENT AGENDA
 REAL ESTATE
 JANUARY 20, 2011
 Page 13 of 21**

Project Budget:

	Current Budget	Proposed Budget	Amount (+/-)
Construction Costs	\$ 6,846,230.19	\$ 9,441,102.54	\$ 2,594,872.35
Architectural and Engineering Fees	\$ 473,066.06	\$ 684,900.00	\$ 211,833.94
Miscellaneous Project Costs	\$ 12,167.00	\$ 114,008.67	\$ 101,841.67
Contingency	\$ 328,236.75	\$ 552,098.03	\$ 223,861.28
Total Project Budget	\$ 7,659,700.00	\$10,792,109.24	\$ 3,132,409.24

Funding Source(s): HB 1641, Laws of 2008 (\$249,488.02); SB 2010, Laws of 2004 (\$6,031,955.11); SB 2988, Laws of 2003 (\$1,279,656.30); SB 3197, Laws of 2003 (\$231,009.81); HB 1701, Laws of 2010 (\$3,000,000)

Staff Recommendation: Board staff recommends approval of this item.

IHL PROJECTS

8. UM – IHL 207-319 – Pre-Planning Tennis Facility

Project Request: The University of Mississippi requests approval to change the name of the project to “Renovation and Addition to Tennis Center” as well as increase the project budget for the project from \$200,000 to \$1,900,000 for an increase in the amount of \$1,700,000.

Project Phase: Design Phase

Design Professional: Eley Guild Hardy Architects

General Contractor: N/A

Purpose/Justification: The project is currently in the design phase. This is the first budget escalation request made for this project by the university. The project will

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
 CONSENT AGENDA
 REAL ESTATE
 JANUARY 20, 2011
 Page 14 of 21**

renovate and construct a small addition to the Palmer-Salloum Tennis Facility. The project was first initiated in February 2009 as a pre-planning project with a \$200,000 design fee budget. The pre-planning is now complete and the university is ready to transition the project from the pre-planning phase to the construction phase and therefore requests to increase the project budget to reflect construction costs in order to move the project forward. The University of Mississippi is acting in accordance with Board Policy §904(A), Board Approval, that requires each institution to submit all project budget increases to the Board for approval.

Project Initiation Date: February 19, 2009

Project Budget:

	Current Budget	Proposed Budget	Amount (+/-)
Construction Costs	\$ 0.00	\$ 1,460,676.00	\$ 1,460,676.00
Architectural and Engineering Fees	\$ 200,000.00	\$ 126,293.05	\$ (73,706.95)
Miscellaneous Project Costs	\$ 0.00	\$ 65,200.00	\$ 65,200.00
Contingency	\$ 0.00	\$ 247,830.95	\$ 247,830.95
Total Project Budget	\$ 200,000.00	\$ 1,900,000.00	\$ 1,700,000.00

Funding Source(s): Private Gifts – UMAA Foundation (\$1,900,000)

Staff Recommendation: Board staff recommends approval of this item.

9. UMMC – IHL 209-538 – 4th Floor Renovations-764 Lakeland

Project Request: The University of Mississippi Medical Center requests approval to change the scope of the project as well as increase the project budget for the 4th Floor Renovations-764 Lakeland project from \$3,425,536 to \$5,915,536 for an increase in the amount of \$2,490,000.

Project Phase: Design Phase

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
 CONSENT AGENDA
 REAL ESTATE
 JANUARY 20, 2011
 Page 15 of 21**

Design Professional: Dale and Associates Architects

General Contractor: N/A

Purpose/Justification: The project is currently in the design phase. This is the first budget escalation request made for this project by the university. The revised project will renovate the second floor area for use as Family Medical Clinic space and the 4th Floor will be revised to a new Otolaryngology Clinic area. Renovations will include upgraded finishes, electrical, and mechanical services.

History: At the project conception, UMMC engaged Dale and Associates to develop a program and preliminary design and budget for proposed renovations to the 2nd and 4th floors of this building as the “master project.” At that time, funding was only available to formally initiate IHL 209-538 (4th Floor) with Dale and Associates as the project professional at the IHL October 2010 Board meeting. Funding is now available to begin the design for the 2nd Floor Renovation project. UMMC is requesting approval to revise the scope and escalate the project budget to incorporate the renovation of the 2nd Floor Area for Family Medicine Clinic. The university feels it is in the best interest of the institution to continue with the original design professional and that combining these two projects into one will provide better pricing at bid day due to economy of scale and will provide more efficiency in coordinating the work. The University of Mississippi Medical Center is acting in accordance with Board Policy §904(A), Board Approval, that requires each institution to submit all project budget increases to the Board for approval.

Project Initiation Date: October 21, 2010

Project Budget:

	Current Budget	Proposed Budget	Amount (+/-)
Construction Costs	\$ 2,499,735.00	\$ 4,245,360.00	\$ 1,745,625.00
Architectural and Engineering Fees	\$ 238,500.00	\$ 364,907.00	\$ 126,407.00
Miscellaneous Project Costs	\$ 205,700.00	\$ 405,700.00	\$ 200,000.00
Contingency	\$ 481,601.00	\$ 899,569.00	\$ 417,968.00
Total Project Budget	\$ 3,424,536.00	\$ 5,915,536.00	\$ 2,490,000.00

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
REAL ESTATE
JANUARY 20, 2011
Page 16 of 21**

Funding Source(s): Restricted Funds (\$5,915,536)

Staff Recommendation: Board staff recommends approval of this item.

APPROVAL OF OTHER REAL ESTATE REQUESTS

10. UM – Naming of New Law School the “Robert C. Khayat Law Center”

Project Request: The University of Mississippi requests approval to name the new law school building the “Robert C. Khayat Law Center.”

Purpose: Robert C. Khayat served as the 15th chancellor of the University of Mississippi from 1995 until 2009. As chief executive officer, he was responsible for the operation and management of a four-campus enterprise with a \$1 billion annual budget. The university included nine schools at Oxford, five at the UM Medical Center in Jackson and degree-granting programs at the Advanced Education Center in Tupelo and Desoto Center in Southaven.

Under Khayat’s leadership, the university experienced a renaissance, and he drew praise for a multitude of achievements that earned the institution national respect, recognition and admiration.

In fall 2008 alone, UM was ranked among the nation’s top 25 public universities by Forbes.com, hosted a presidential debate (Obama vs. McCain), announced its 25th Rhodes Scholar, inaugurated the first black president of its alumni association, trounced Texas Tech in the Cotton Bowl and wound down its successful \$200 million MomentUM campaign.

During Khayat’s tenure as chancellor, two capital campaigns generated nearly \$775 million in private support for the university. With that support, UM created the Sally McDonnell-Barksdale Honors College, Croft Institute for International Studies, Lott Leadership Institute, Galtney Center for Academic Computing, Ford Center for the Performing Arts and Winter Institute for Racial Reconciliation, and expanded its academic and athletics facilities.

It also secured a chapter of Phi Beta Kappa, the nation’s most prestigious liberal arts honor society. The chapter, the first awarded to a public university in Mississippi, came only after endowments, library holdings, technological resources, liberal arts programs and student scholarships were increased.

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
REAL ESTATE
JANUARY 20, 2011
Page 17 of 21

Mississippi Code § 37-115-121 states: “The new building, currently under construction at the University of Mississippi School of Law, located in Oxford, Mississippi, shall be named the “Robert C. Khayat Law Center.” “The University of Mississippi School of Law shall prepare a distinctive plaque, to be placed in a prominent place within the building, which states the background, accomplishments, and service to the University of Mississippi.” The University of Mississippi is acting in accordance with Board Policy §917, Naming Buildings and Facilities, that requires Board approval be obtained prior to naming or re-naming any institutional building or facility

Staff Recommendation: Board staff recommends approval of this item.

11. UM – Re-Naming of Old Chemistry Building to Brevard Hall

Project Request: The University of Mississippi requests approval to re-name the building currently known as the Old Chemistry Building to Brevard Hall.

Purpose: Henry Brevard, a native of Amory and a fifth generation Mississippian, graduated from the University of Mississippi School of Engineering in 1943 with his degree in civil engineering. He is the founder and CEO of B&B Concrete Co. of Tupelo, MS. His business was the first transit-mixed concrete plant in North Mississippi and has approximately 12 other locations in the North Mississippi area. Since his graduation nearly 70 years ago, Henry has maintained an active role in the Engineering School and the University by serving as the President of the Engineering Alumni Chapter, a sustaining member of the Jesse B. Woods Giving Order, and Chair of the University of Mississippi Foundation. Previously, Mr. Henry Brevard’s was a little more than \$2,500,000 which has directly benefited nearly 500 students in the form of scholarships. Now, with this recent contribution of \$2,500,000 that will bring their total giving to \$5,000,000 to the university. Their goal is to make sure that the young men and women in Mississippi have the same opportunity to be a great engineer just like Henry had so many years ago and to be of service in the fields of engineering to region and state for many more years to come.”

The University of Mississippi is seeking to The University of Mississippi is acting in accordance with Board Policy §917, Naming Buildings and Facilities, that requires Board approval be obtained prior to naming or re-naming any institutional building or facility

Staff Recommendation: Board staff recommends approval of this item.

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
REAL ESTATE
JANUARY 20, 2011
Page 18 of 21

12. UM – Delete from Inventory and Demolish Miller Hall

Project Request: The University of Mississippi requests approval to delete Miller Hall from inventory and demolish it.

Purpose: The University of Mississippi is seeking to delete Miller Hall from inventory and demolish it. Miller Hall, constructed in 1960, is a two-story concrete frame building built for the purpose of housing university athletes. Miller Hall provided 122 beds, dining/kitchen facilities, laundry, etc. The building was switched from housing only athletes to housing the general male student body several years ago.

By 1990 it was apparent that the building was limited in its ability to provide suitable housing. In 1991, the dining and kitchen areas were renovated to house the Housing Administration Department. The building is currently being used for Housing Administration Department only and no students are living in the building.

The University of Mississippi would like to remove Miller Hall to provide a suitable site for a new residential housing facility. In order to satisfy the increased need for student housing, the university is planning to construct approximately 720 beds at this site. The building would be demolished following notification of the Mississippi Department of Environmental Quality. The approval letter has been received from the Mississippi Department of Archives and History. All legal documentation will be kept on file in the Office of Real Estate and Facilities. The University of Mississippi is acting in accordance with Board Policy §919 Prerequisites for Building Modification or Demolition, that requires Board approval prior to building modification or demolition.

Staff Recommendation: Board staff recommends approval of this item.

13. UMMC – GS 109-195 – AED (Adult Emergency Department) Renovations – Sole Source

Project Request: The University of Mississippi Medical Center requests approval to sole source the mechanical HVAC controls for the AED Renovations project.

Project Phase: Design Phase

Purpose: The current renovation project provides for the total demolition (phased) of the existing basement interior walls, ceiling systems etc and provides a complete re-

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
REAL ESTATE
JANUARY 20, 2011
Page 19 of 21

build of the interior spaces as well as an exterior building addition that will provide a new, modern, Adult Emergency Room area. The present AED (Acute Services Wing two story building) as well as the adjacent Batson “round wing” building, Hospital South Wing and adjacent Critical Care Hospital are all served by an existing Johnson Control’s system. UMMC requests approval to sole source the controls system in order to require in the bidding documents that the new HVAC system controls to be an extension of the existing Johnson Controls system in order for the new system to operate seamlessly in this critical patient care area.

Project Budget: \$9,630,000.00 (\$250,000 estimated HVAC control system)

Staff Recommendation: Board staff recommends approval of this item.

14. UMMC – IHL 209-505 – Pediatric Emergency Renovations – Sole Source

Project Request: The University of Mississippi Medical Center requests approval to sole source the mechanical HVAC controls for the Pediatric Emergency Renovations project.

Project Phase: Construction Phase

Purpose: The PED Renovation Project scope includes total demolition of existing basement interior walls, ceilings systems etc. and provides a complete re-build of the interior spaces as well as an exterior building addition that will provide a new, modern Pediatric Emergency Room area. The existing, original Batson “round wing” building where this occurs on the Basement level, the adjacent Acute Service Wing Bldg (existing PED and Adult E.R./O.R. areas) are all served by an existing Johnson Control’s system. By allowance, the contract documents require the new HVAC system controls to be an extension of the existing Johnson Controls system in order for the new system to operate seamlessly in this critical patient care area.

Project Budget: \$5,633,275.00 (\$212,000 estimated HVAC control systems)

Staff Recommendation: Board staff recommends approval of this item.

15. UMMC – IHL 209-532 – Cardiovascular Renovations – Sole Source

Project Request: The University of Mississippi Medical Center requests approval to sole source the mechanical HVAC controls for the Cardiovascular Renovations 2010 project.

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
REAL ESTATE
JANUARY 20, 2011
Page 20 of 21**

Project Phase: Design Phase

Purpose: The catheterization and noninvasive laboratory facilities for cardiovascular services have remained in the same general location since the facility opened its doors in 1955. There have been additions and renovations over 55 years with substantial program and volume growth over the past 5 years. There is no longer space available for expansion to provide state of the art cardiovascular services. Therefore, UMMC's cardiovascular services are being consolidated and relocated to a new Heart Center on campus. A variety of educational and research activities take place in the UMMC Heart Center. Specifically, thirteen general cardiology fellows, two interventional cardiology fellows, and one electrophysiology fellow are in the heart center daily participating in heart catheterizations, interventional invasive cardiology, and electrophysiology procedures. Moreover, the consolidated heart center provides UMMC the opportunity to expand rotations through this service line. Starting in July 2011 a cardiothoracic surgery resident will be rotating through the heart center. Internal Medicine, Emergency Medicine (starts later in 2011), Anesthesiology, Med-Pediatric residents and fellows rotate through the Heart Center as part of their training curriculums. A majority of the patients seen in the Heart Center are patients of or followed by medical students and medicine and family medicine residents and fellows for continuity of care. A variety of clinical areas in the heart center are home to research studies such as the ARIC Study, APPRAISE-2 Study, The Jackson Heart Study and the Watchman Study.

The current renovation project includes the demolition and renovation of existing and adjacent area as well as a building addition attaching to and providing contiguous space to the existing Hospital and first floor patient services area. The existing HVAC controls for the Original Hospital, School Wing, and Adult Hospital are Johnson Controls system. This request is for approval to sole source the controls system in order for this system to operate seamlessly in this critical patient area.

Project Budget: \$17,182,052.00 (\$249,760 estimated HVAC control systems)

Staff Recommendation: Board staff recommends approval of this item.

16. UMMC – IHL 209-535 – Learning Resources Renovations – Sole Source

Project Request: The University of Mississippi Medical Center requests approval to sole source the mechanical HVAC controls for the Learning Resources Renovations project.

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
REAL ESTATE
JANUARY 20, 2011
Page 21 of 21**

Project Phase: Design Phase

Purpose: The current renovation project provides for the renovation of various office areas to create/consolidate administrative functions for greater efficiencies. The original building HVAC control system is a Johnson Controls System and much of the two story facility will remain as is, unaffected by the project. UMMC requests approval to sole source the controls system in order for this new system to be a seamless, integrated extension of the existing system.

Project Budget: \$2,850,000.00 (\$94,500 estimated HVAC control systems)

Staff Recommendation: Board staff recommends approval of this item.

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
LEGAL
JANUARY 20, 2011
PAGE 1 OF 1

**1. UMMC - APPROVAL TO RENEW CONTRACT WITH OUTSIDE COUNSEL
JAMES C. MINGEE d/b/a/ THE MARK IT PLACE AND C. PAIGE HERRING**

The University of Mississippi Medical Center requests permission to contract with James C. Mingee, d/b/a The Mark It Place, of counsel to the firm Scott, Sullivan, Streetman & Fox, and C. Paige Herring of the same firm to provide legal services as trademark and copyright counsel. This is a request for renewal of a contract first approved by the Board on January 15, 2009. The agreement provides for outside counsel work up to a maximum amount of \$30,000, at \$145 per hour or \$1200 per trademark prosecution. The contract would be for one year from 02/01/2011 through 01/30/2012. The contract will be funded by patient revenue.

STAFF RECOMMENDATION: Board staff recommends approval of this item pending approval by the Attorney General.

2. SYSTEM-APPROVAL TO HIRE CAL MAYO AS OUTSIDE COUNSEL

Approval is requested to hire Cal Mayo as outside counsel to represent the Board of Trustees in the event there is an appeal of the decision of the Chancery Court of Hinds County in the case styled as Jackson HMA, LLC, et al. v. Mississippi State Department of Health and University of Mississippi Medical Center. Mr. Mayo is with the Mayo Mallette law firm in Oxford, Mississippi. The attorney hourly rate to be paid would be up to \$165, depending on the hourly rate approved by the Attorney General. The contract for legal services would be for one year.

STAFF RECOMMENDATION: Board staff recommends approval of this item pending approval by the Attorney General.

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
PERSONNEL
January 20, 2011
Page 1 of 3

APPROVAL OF PERSONNEL ACTION REQUESTS

1. Employment

MSU

Judith A. Ridner, Associate Professor, History, hired with tenure, salary of \$63,000 per annum, pro rata, E&G Funds; effective August 16, 2011

Rehired retirees making more than \$20,000 who ARE on contracts during Fiscal Year 2011

JSU

Joyce Harris; *former position:* Associate Dean, College of Education; *re-employment positions:* 1) Independent Consultant/Contractor for the Executive Ph.D. Program (salary of \$5,000), and 2) Independent Consultant/Contractor for the Mississippi Learning Institute (salary of \$15,000); *re-employment period:* November 30, 2010 – June 30, 2011

MSU

Lynn L. Reinschmiedt, *former position:* Associate Dean and Professor, College of Agriculture and Life Sciences; *re-employment position:* Interim Associate Vice President for Administrative Services; *re-employment period:* January 1, 2011 to March 31, 2011; salary of \$145,000 per annum, pro rata

Rehired retirees making more than \$20,000 who are NOT on contracts during Fiscal Year 2011

MSU

Charles Pittman, *former position:* Lecturer; *re-employment position:* Research Professor; *re-employment period:* July 1, 2010 through June 30, 2011; salary of \$75,000

Linda Allsup, *former position:* Teacher-Noxubee County; *re-employment position:* Coordinator; *re-employment period:* September 1, 2010 through June 30, 2011; salary of \$27,500

Jimmy Bonner; *former position:* Associate Extension Professor; *re-employment position:* Extension Water Quality Project Coordinator; *re-employment period:* July 1, 2010 through June 30, 2011; salary of \$31,308

John O'Hear, *former position:* Archaeologist; *re-employment position:* Archaeologist; *re-employment period:* October 25, 2010 through June 30, 2011; salary of \$31,900

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
PERSONNEL
January 20, 2011
Page 2 of 3

Eugene Columbus, *former position:* Senior Research Associate; *re-employment position:* Senior Research Associate; *re-employment period:* October 16, 2010 through June 30, 2011; salary of \$45,866

Don Brantley, *former position:* Superintendent Public School; *re-employment position:* Lecturer; *re-employment period:* November 1, 2010 through June 30, 2011; salary of \$21,719

Joseph Ferguson, *former position:* Professor; *re-employment position:* Lecturer; *re-employment period:* January 1, 2011 through June 30, 2011; salary of \$20,249

Paul Cuicchi, *former position:* Teacher; *re-employment position:* Lecturer; *re-employment period:* January 1, 2011 through June 30, 2011; salary of \$25,000

Terry Crow, *former position:* Lecturer; *re-employment position:* Lecturer; *re-employment period:* November 1, 2010 through June 30, 2011; salary of \$36,500

Mark Lehman, *former position:* Associate Professor; *re-employment position:* Lecturer; *re-employment period:* August 16, 2010 through June 30, 2011; salary of \$37,500

John Harkness, *former position:* Professor; *re-employment position:* Instructor; *re-employment period:* July 1, 2010 through June 30, 2011; salary of \$70,000

Janet St. Lawrence, *former position:* Professor; *re-employment position:* Research Professor; *re-employment period:* December 6, 2010 through June 30, 2011; salary of \$57,165.50

Micheal Howell, *former position:* Area Extension Agent IV; *re-employment position:* Area Extension Agent IV; *re-employment period:* November 1, 2010 through June 30, 2011; salary of \$33,881

2. Change of Status

ASU

Samuel White, *from* Dean and Professor, School of Arts and Sciences; salary of \$130,520 per annum, pro rata; E&G Funds; *to*, Vice President for Academic Affairs and Professor of Social Sciences (Political Sciences), tenured; no change in salary; effective February 1, 2011

MSU

Louis E. Dawkins, *from* Director and Professor, Adkerson School of Accountancy, salary of \$84,000 per annum, pro rata; E&G Funds; *to*, Interim Dean and Professor, College of

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
CONSENT AGENDA
PERSONNEL
January 20, 2011
Page 3 of 3

Business, salary of \$225,000 per annum, pro rata; E&G Funds; effective January 1, 2011 for six (6) months or until position is filled

Dennis J. Mitchell, *from* Associate Dean and Professor, Meridian Division of Arts and Sciences, salary of \$106,289 per annum, pro rata; E&G Funds; *to*, Interim Dean and Interim Executive Director and Professor, Meridian Campus, salary of \$140,000 per annum, pro rata; E&G Funds; effective January 16, 2011 for twelve (12) months or until position is filled

MVSU

Hareshnarayan Khanna, *from* full-time Vice President for Business and Finance/Chief Financial Officer; salary of \$132,500; E&G Funds; *to*, effective November 15, 2010 through March 31, 2011, part-time Vice President for Business and Finance/Chief Financial Officer; salary of \$22,361; E&G Funds

Change of status of athletic personnel with multi-year contract

UM

Matthew Mott.; Head Women's Soccer Coach; Athletics; salary of \$100,000, per annum, pro rata; Auxiliary Funds; *from* a contract period of May 17, 2010 to May 16, 2014; to a new contract period of January 1, 2011 to December 31, 2014; no change in salary

3. Terminations

ASU

Earnest Collins, Head Football Coach; effective December 31, 2010

Norris Edney, Interim President, conclusion of interim appointment effective January 9, 2011

JSU

Leslie McLemore, Interim President, conclusion of interim appointment effective December 31, 2010

REGULAR AGENDAS

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
REGULAR AGENDA
BUDGET, FINANCE & AUDIT
January 20, 2010
Page 1 of 2**

1. **SYSTEM – PRESENTATION ON STATE FINANCIAL AID PROGRAMS**

2. **UMMC – APPROVAL OF CONTRACTUAL SERVICES AGREEMENT**

Agenda Item Request: The University of Mississippi Medical Center (UMMC) requests approval to modify the total expenditure amount applicable to its lease agreement with **Parkway Joint Venture, LLC.** for the lease of 2,765 square feet of space.

Contractor’s Legal Name: Parkway Joint Venture, LLC.

History of Contract: The original lease agreement was approved by the Board in April 2009. The 60-month lease period is September 1, 2009 to August 31, 2014. Total costs were estimated at \$432,788 which included \$167,006 for renovations. The renovations include installation of a separate HVAC system and emergency generator required for 24/7 uninterrupted operations.

The purpose of this request is to increase the authorized total expenditure amount from \$432,788 to \$456,337.12. The cost increase is necessary due to change orders during the renovations which included additional roof structural support, increased natural gas pressure for the installation and operation of the emergency generator, and to reflect base rent adjustments applicable to an allowance for actual operating expenses.

Specific type of contract: Lease Agreement

Purpose: The purpose of this request is to increase the total expenditure amount applicable to the lease agreement which is to be used as professional office space in the UBS Building for the eICU Operations Center.

Scope of Work: The terms of the original lease agreement remain the same. In addition to lease of the 2,765 square feet of space, Parkway agrees to provide an initial build-out allowance and base operating expenses allowance which includes utilities, janitorial services, and routine maintenance and security services. UMMC agrees to provide telephone, internet, and related services, a separate HVAC system for after hours and weekend use, and an emergency generator.

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
REGULAR AGENDA
BUDGET, FINANCE & AUDIT
January 20, 2010
Page 2 of 2

Term of contract: The contract length remains at sixty (60) months – September 1, 2009 to August 31, 2014.

Termination Options: The lease agreement may be declared null and void by writing a letter to the Parkway in the event products and services are not furnished as agreed upon within any stated time period to cure.

Contract Amount: The total cost for the contract period is being increased from \$432,788 to \$456,337.12.

Funding Source for Contract: The contract will be funded by hospital patient revenue.

Contractor Selection Process: N/A – modification to existing contract

Staff Recommendation: Based on Board Policy 707.01, Land, Property and Service Contracts, Board approval is required prior to execution of leases in an amount greater than \$100,000. The agreement has been reviewed and approved by the Attorney General's Office. Board staff recommends approval of this item.

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
REGULAR AGENDA
REAL ESTATE
JANUARY 20, 2011
Page 1 of 3

1. SYSTEM – APPROVAL OF THE FINAL READING OF PROPOSED NEW BOARD POLICY 920 SUSTAINABILITY POLICY

Request: The Energy Management Efficiency Task Force requests approval of the final reading of proposed new Board Policy 920 Sustainability Policy.

Purpose: The Energy Management Efficiency Task Force submitted its report to the Board of Trustees during the August, 19, 2010 meeting and the Board voted to approve the three recommendations. One of the three recommendations was to adopt a System-wide Sustainability Policy.

The proposed policy requires each institution to develop a campus sustainability policy to include operations, grounds, materials, and transportation. All new construction and/or major repair and renovation will be required to exceed ASHRAE 90.1 by 30%, when cost effective; and the design professional for these projects must develop an energy model during the design phase and certify the completed construction or renovation performs as designed and modeled. No less than 25% of expected annual recurring savings from completed energy projects must be set-aside to finance future energy efficiency projects. A System Energy Management Council is established to guide the implementation of energy management and conservation efforts to include representatives of students, faculty, staff, administration, and energy management professional and technical staff. Each institution is required to create an Energy Management Committee.

PROPOSED BOARD POLICY 920 SUSTAINABILITY POLICY

Mississippi Institutions of Higher Learning (IHL) understand the impact of our collective landholdings and campus activities to the natural environment, thus we seek to develop a sustainability foundation that sets the framework for our Institutions of Higher Learning to utilize in the development of their individual policies.

Each institution shall develop a campus sustainability policy and implementation procedures. The sustainability policy and procedures should address and encourage sustainability in operations, grounds, materials, and transportation.

- A. The System Energy Management Council is created and shall include representatives from each institution and be representative of students, faculty, staff, administration, and energy management professional and technical staff. The purpose of the council shall be to guide the implementation of energy management and conservation efforts for the IHL System.

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
REGULAR AGENDA
REAL ESTATE
JANUARY 20, 2011
Page 2 of 3

- B. Each institution shall create an Energy Management Committee to guide the implementation of energy management and conservation efforts for the institution.
- C. A procurement program that considers the effect of the product on the environment must be developed. Sustainable purchases must consider *Energy Star*® appliances, green seal chemicals, and other environmentally-sound items found on state contract, as well as other sources. Contracts for new construction and/or major repair and renovations must include a sustainable purchase requirement for those items included in the contract for purchase and installation.
- D. All new construction and/or major repair and renovation of existing facilities must be designed to meet energy-efficient goals which exceed ASHRAE 90.1 by 30%, when determined cost effective.
- E. All new construction and/or major repair and renovations of existing facilities must include the requirement for the development and approval of an energy model during the early design stages. The design professional must certify that the model meets the Institutions of Higher Learning's energy program and at the conclusion of the construction and/or renovation (prior to final acceptance) the design professional must certify that the facility has been constructed as designed and modeled.
- F. Renovation of historically significant buildings should meet or exceed ASHRAE 90.1 standards where appropriate for the scope of work and determined cost effective.
- G. No less than 25% of the expected annual recurring savings from completed energy efficiency projects shall be set aside each year in the appropriate fund and used to finance future energy efficiency projects. If the annual recurring savings are dedicated to the repayment of debt, then these funds shall be set aside in the first year after such debt is retired.
- H. Water efficiency measures, with the goal of reduction of water use on campus and within all facilities, must be a prime goal.
- I. All new construction and/or major repair and renovations of existing facilities must address and consider sound design techniques that maximize wind, solar, aspect, shading and other design expressions embracing our climatic realities. The design criteria must encourage overhangs, natural day lighting, and other passive design techniques and should not be confused with renewable energy.
- J. All new landscape construction, major repair and renovations of landscapes, and any site work in general must consider and encourage the use of resource-efficient plants including native plant palettes, decreasing the use of herbicides and pesticides when

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
REGULAR AGENDA
REAL ESTATE
JANUARY 20, 2011
Page 3 of 3

possible, while increasing tree canopy through reforestation and by potable water irrigation reductions.

- K. All new landscape construction, major repair and renovations of landscapes, and any site work in general must include the requirement that protects and enhances water quality through innovative storm water best management practices.

- L. A comprehensive waste-minimization program must be developed. The program should address a comprehensive campus wide recycling program that considers such things as the recycling construction spoils/wastes from demolition and construction projects, garbage collection and disposal contracts, disposals of used equipment, furniture disposal, chemical waste, electronic waste, composting, trash, etc.

- M. Where feasible a campus public transit program serving faculty, staff and students should be developed. The program should consider and encourage transit options into off-campus areas where required.

- N. All new streets or campus street renovations should be developed to encourage walking, bikes, and other non carbon producing emission transportation options.

- O. A car share program should be developed where feasible to encourage car-pooling activities. This program should be developed in partnership with adjacent municipalities, community colleges, and high schools, etc., where appropriate and feasible.

Staff Recommendation: Board staff recommends approval of this item.

2. UMMC – PRESENTATION OF CAMPUS MASTER PLAN

The University of Mississippi Medical Center will present its campus master plan to the Board of Trustees. No Board action is needed.

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
REGULAR AGENDA
LEGAL
JANUARY 20, 2011
PAGE 1 OF 1**

**1. MSU - APPROVAL TO SETTLE IHL SELF-INSURED WORKERS'
COMPENSATION CLAIM**

The IHL Self-Insured Workers' Compensation Program is seeking Board approval for settlement of Claim No. 877328.

STAFF RECOMMENDATION: Board staff recommends approval of this item.

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
REGULAR AGENDA
ADMINISTRATION/POLICY
January 20, 2011
Page 1 of 1

1. SYSTEM - ELECTION OF VICE PRESIDENT OF THE BOARD OF TRUSTEES FOR THE TERM BEGINNING MAY 8, 2011 AND ENDING MAY 7, 2012

The Vice President of the Board is elected pursuant to *Board Policies and Bylaws* 301.01 Officers of the Board and 301.02 Election of Officers.

301.01 OFFICERS OF THE BOARD

A. PRESIDENT:

There shall be a president elected by the Board from its membership whose term of office shall be for one year or until his or her successor is elected. The president of the Board shall preside at all meetings of the Board; he or she shall be an ex officio member of all standing and special committees; he or she shall appoint members of all standing or special committees; he or she shall, with the Commissioner, execute such instruments and contracts as may be ordered by the Board; he or she shall perform such duties as usually pertain to this office and such other duties as may be assigned by the Board; and he or she shall be governed in his action by the usual parliamentary procedure. The president of the Board may not succeed himself/herself as president after having served a full year term.

B. VICE PRESIDENT:

There shall be a vice president elected by the Board from its membership. The term of office shall be one year, and the vice president shall preside at meetings of the Board in the absence or disability of the president. The vice president of the Board shall automatically succeed to the office of president after having served a one-year term as vice president. The vice president shall become president upon the resignation, removal, death or incapacity of the president.

301.02 ELECTION OF OFFICERS

The Board shall elect its officers at the January meeting of the Board, if held, to take office on the eighth day of May in the same year.

INFORMATION AGENDAS

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
REAL ESTATE
JANUARY 20, 2010
Page 1 of 24**

**SYSTEM: REAL ESTATE ITEMS APPROVED SUBSEQUENT TO THE
NOVEMBER 18, 2010 BOARD MEETING SUBMISSION DEADLINE**

NOTE: THE FOLLOWING ITEMS WERE APPROVED BY THE BOARD'S REAL ESTATE AND FACILITIES STAFF ACCORDING TO BOARD POLICY §904 (A) BOARD APPROVAL WHICH STATES:

Board Policy §904(A), Board Approval

When funding has been secured from whatever source, each institution shall bring all new projects to the Board for the approval of the project initiation and the appointment of a design professional, as required in Board Policy §902, Initiation of Construction Projects. This request shall include a detailed description of the work to be accomplished, the total budget, the funding source and the design professional recommended to the Board for approval.

After the Board has granted approval of both the initiation of a project and the appointment of a design professional, no further Board action or approval is required for the completion of the project if the following conditions are met:

- 1. The detailed description of the work to be accomplished, as specifically approved by the Board within the project initiation, has not changed.*
- 2. The total project budget has not increased beyond the amount specifically approved by the Board as part of the project initiation;*
- 3. The funding source has not changed from that specifically approved by the Board as part of the project initiation; and*
- 4. The design professional previously approved by the Board has not changed.*

If the above four conditions have been met, the Board's Real Estate and Facilities staff, through the Commissioner, shall have the authority to approve any and all necessary documents related to the completion of the subject construction project, including the approval of construction documents, the advertisement and receipt of bids, the approval of a bid, the award of a contract and any change orders.

Change Order Approval Note: No change orders approved by Board staff, as reflected within any of the following informational agenda items, increase the Board approved total project budget. The total project budget as approved by the Board provides for a contingency fund, which allows for an increase in the construction budget of between five and ten percent. Any increase in the total project budget caused by a change order, would require Board approval and could not be approved by Board staff.

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
REAL ESTATE
JANUARY 20, 2010
Page 2 of 24**

1. JSU – GS 103-219 – Johnson Dansby Replacement Phase I (Johnson Replacement)

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #6** in the amount of \$34,932.00 and thirty (30) additional days to the contract of Harrell Contracting Group, LLC. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: November 1, 2010

Change Order Justification: The change order is necessary to add a new sidewalk to connect the existing building on the south side of the site, modify electrical services for owner provided IT Data Room equipment, add privacy window tinting on four restroom windows, add wall mural and finished trim on the first floor lobby wall, and to clean out and remove previous silt buildup in existing storm drain piping downstream from job site.

Total Project Change Orders and Amount: Six (6) change orders for a total amount of \$223,013.11

Project Initiation Date: November 20, 2003

Design Professional: Foil-Wyatt Architects & Planners, PLLC

General Contractor: Harrell Contracting Group, LLC

Contract Award Date: March 30, 2009

Project Budget: \$13,773,590

Funding Source(s): SB 2010, Laws of 2004; HB 246, Laws of 2007; HB 1641, Laws of 2008

2. JSU – GS 103-256 – Mechanical Upgrades Phase II

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved the award of contract to Buford Plumbing Company, Inc, the lower of three (3) bidders, for a total contract amount of \$1,239,000.00. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: November 29, 2010

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
REAL ESTATE
JANUARY 20, 2010
Page 3 of 24

Project Initiation Date: August 20, 2009

Design Professional: The CGM Group

General Contractor: Buford Plumbing Company, Inc.

Contract Award Date: November 29, 2010

Project Budget: \$2,200,000

Funding Source(s): HB 1722, Laws of 2009; HB 246, Laws of 2007

3. MSU – GS 113-115 – Lloyd-Ricks Renovation

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #9** in the amount of \$5,642.00 and fifty-six (56) additional days to the contract of West Brothers Construction. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: November 29, 2010

Change Order Justification: **Change Order #9** is necessary to install owner provided toilet accessories that were not included in the original documents, install owner provided exterior site benches, replace glass in four interior doors that needs to be frosted, and to add additional time to the contract due to wet weather when the site drainage was installed.

Total Project Change Orders and Amount: Nine (9) change orders for a total amount of \$651,281.00

Project Initiation Date: June 14, 2006

Design Professional: Belinda Stewart Architects

General Contractor: West Brothers Construction

Contract Award Date: January 6, 2009

Project Budget: \$12,000,000

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
REAL ESTATE
JANUARY 20, 2010
Page 4 of 24**

Funding Source(s): HB 246, Laws of 2007; HB 3201, Laws of 2007; HB 2988, Laws of 2003; SB 3197, Laws of 2002; HB 1634, Laws of 2006; SB 2010, Laws of 2004; HUD Grant Funds

4. MSU – IHL 205-251 – ICET-SERC Pilot Scale Facility

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Contract Documents** as submitted by Shafer & Associates, design professional.

Staff Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **request to advertise for receipt of bids.**

Staff Approval Date: October 20, 2010

Project Initiation Date: January 21, 2010

Design Professional: Shafer & Associates

General Contractor: N/A

Contract Award Date: N/A

Project Budget: \$1,200,000

Funding Source(s): Federal Grant from U.S. Department of Energy

5. MSU – IHL 213-139 – Stoneville Office Building

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Contract Documents** as submitted by Pryor & Morrow, design professional.

Staff Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **request to advertise for receipt of bids.**

Staff Approval Date: October 20, 2010

Project Initiation Date: November 19, 2009

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
REAL ESTATE
JANUARY 20, 2010
Page 5 of 24**

Design Professional: Pryor & Morrow

General Contractor: N/A

Contract Award Date: N/A

Project Budget: \$3,000,000

Funding Source(s): MAFES Sales Funds; MSU-ES State Funds

6. MUW – GS 104-149 – Poindexter Hall Renovations

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #1** in the amount of \$83,930.58 and zero (0) additional days to the contract of West Brothers Construction. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: November 3, 2010

Change Order Justification: **Change Order #1** is necessary to address the additional work for mold remediation.

Total Project Change Orders and Amount: One (1) change order for a total amount of \$83,930.58

Project Initiation Date: November 20, 2003

Design Professional: Pryor & Morrow

General Contractor: West Brothers Construction

Contract Award Date: July 13, 2010

Project Budget: \$9,579,000

Funding Source(s): SB 2010, Laws of 2004; HB 246, Laws of 2007; HB 1641, Laws of 2008; HB 1722 Laws of 2009

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
REAL ESTATE
JANUARY 20, 2010
Page 6 of 24**

7. MVSU – GS 106-201 – J.H. White Library Enhancements Phase I

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff **approved the award of contract** to Harrell Contracting Group, LLC, the lower of six (6) bidders, for a total contract amount of \$1,797,000.00. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: November 5, 2010

Project Initiation Date: February 22, 2008

Design Professional: Duvall Decker & Associates

General Contractor: Harrell Contracting Group, LLC

Contract Award Date: November 5, 2010

Project Budget: \$11,500,000

Funding Source(s): HB 1641, Laws of 2008; SB 2010, Laws of 2004, SB 2988, Laws of 2003; SB 3158, Laws of 2001; AYERS, HB 1722, Laws of 2009

8. MVSU – GS 106-214 – Phase II Land Drain Infrastructure

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff **approved the award of contract** to Malouf Construction, Inc, the lower of five (5) bidders, for a total contract amount of \$1,059,000.00. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: October 21, 2010

Project Initiation Date: March 19, 2009

Design Professional: W.L. Burle Engineers, P.A.

General Contractor: Malouf Construction, Inc.

Contract Award Date: October 21, 2010

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
REAL ESTATE
JANUARY 20, 2010
Page 7 of 24**

Project Budget: \$1,400,000

Funding Source(s): AYERS Landscaping Funds (\$1,400,000)

9. MVSU – GS 106-235 – Fannie Lou Hamer Corridor – Pre-Planning

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved the **Initiation** of the above project in the amount of \$100,000. All project initiations with a project budget of \$1,000,000 or less and that use state bond funds or *Ayers* funds as a funding source require staff approval. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: October 27, 2010

Project Initiation Date: October 27, 2010

Design Professional: JBHM

General Contractor: N/A

Contract Award Date: N/A

Project Budget: \$100,000

Funding Source(s): AYERS Landscaping Funds (\$100,000)

10. MVSU – GS 106-236 – Fine Arts ADA Remediation

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved the **Initiation** of the above project in the amount of \$400,000. All project initiations with a project budget of \$1,000,000 or less and that use state bond funds or *Ayers* funds as a funding source require staff approval. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: October 27, 2010

Project Initiation Date: October 27, 2010

Design Professional: Dale and Associates Architects, P.A.

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
REAL ESTATE
JANUARY 20, 2010
Page 8 of 24**

General Contractor: N/A

Contract Award Date: N/A

Project Budget: \$400,000

Funding Source(s): HB 1701, Laws of 2010

11. UM– IHL 207-303B – Research Park & Innovation Center

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #3** in the amount of \$84,222.00 and zero (0) additional days to the contract of Montgomery Martin Contractors, LLC.

Staff Approval Date: November 1, 2010

Change Order Justification: **Change Order #3** is necessary to address cost associated with omitting the door mounted presence sensors and adding OHC headers to conceal closers, to provide engineering and labor to locate the top of water line elevations at various locations throughout the site, to furnish and install the revised configuration and ARCP piping, and to install a tee connection with valve assemblies to the existing line to remove the water line that is conflicting with the S/E retaining wall excavation and footing construction.

Total Project Change Orders and Amount: Three (3) change orders for a total amount of (\$6,616.08)

Project Initiation Date: August 16, 2007

Design Professional: Cooke Douglass Farr Lemons and Howorth & Associates-A Joint Venture

General Contractor: Montgomery Martin Contractors, LLC

Contract Award Date: June 22, 2010

Project Budget: \$17,100,000

Funding Source(s): Federal Grant NIST #60NANB6D6134

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
REAL ESTATE
JANUARY 20, 2010
Page 9 of 24**

12. UM– IHL 207-306 – Center for Manufacturing Excellence

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #6** in the amount of \$44,632.39 and thirteen (13) additional days to the contract of Panola Construction Company.

Staff Approval Date: November 2, 2010

Change Order Justification: **Change Order #6** is necessary to address a change in the roofing cap sheet that would keep the performance as specified without an application of protective coating, reduce fire extinguishers from 24 to 18 as required by code, add exterior insulated wall panels to east exterior wall of the connector at the Carrier Hall interface, remove specified appliances from contract, add additional tile work to “side” walls of toilet compartments to meet IBC requirements, add additional electrical circuits, rewire lighting, add insulation to walls surrounding elevator shaft, and add furr out wall to the connector corridor 203 at east end to hide hot/cold water piping entering Carrier Hall.

Total Project Change Orders and Amount: Six (6) change orders for a total amount of \$446,646.53

Project Initiation Date: November 15, 2007

Design Professional: Cooke Douglass Farr Lemons

General Contractor: Panola Construction

Contract Award Date: February 18, 2009

Project Budget: \$17,700,000

Funding Source(s): Mississippi Development Authority (\$17,700,000)

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
REAL ESTATE
JANUARY 20, 2010
Page 10 of 24**

13. UM– IHL 207-306A – Carrier Hall Addition & Renovation Phase II

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #6** in the amount of \$1,960.27 and zero (0) additional days to the contract of Panola Construction Company.

Staff Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #7** in the amount of \$0.00 and five (5) additional days to the contract of Panola Construction Company.

Staff Approval #3: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #8** in the amount of \$99,492.69 and one hundred seventeen (117) additional days to the contract of Panola Construction Company.

Staff Approval Date: October 20, 2010

Change Order Justification: **Change Order #6** is necessary to fill in existing doors between offices 202, 204, and 206. The door between 202 and 204 was identified on construction drawings to remain. The door between 204 and 206 was identified on construction drawings and hidden from initial survey view. **Change Order #7** is necessary to reduce the building access allowance by \$6,042 for cost of revisions & additions. The balance remaining in the building control allowance is \$43,958. **Change Order #8** is necessary to add additional days to the contract in order to postpone the beginning of stage two work until July 1, 2011.

Total Project Change Orders and Amount: Seven (7) change orders for a total amount of \$166,270.42

Project Initiation Date: August 20, 2009

Design Professional: Cooke Douglass Farr Lemons

General Contractor: Panola Construction Company

Contract Award Date: December 16, 2009

Project Budget: \$4,500,000

Funding Source(s): Mississippi Development Authority (\$4,500,000)

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
REAL ESTATE
JANUARY 20, 2010
Page 11 of 24**

14. UM– IHL 207-311 – UMMC School of Pharmacy

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #1 for a credit** in the amount of \$373,250.13 and ten (10) additional days to the contract of Chris Albritton Construction Company, Inc.

Staff Approval Date: October 20, 2010

Change Order Justification: **Change Order #1** is necessary to delete energy management controls materials and labor from the project, reconcile drilled piling lengths from CD design and drill log, relocate existing irrigation control wiring in NW corner of the project site as per UMMC instruction, extend new 10” water main approximately 100 feet west on University Drive for tie-in as per UMMC, and to relocate sanitary sewer manhole and reroute piping to avoid existing site trees.

Total Project Change Orders and Amount: One (1) change order for a total amount of (\$373,250.13)

Project Initiation Date: May 22, 2008

Design Professional: Eley Guild Hardy Architects

General Contractor: Chris Albritton Construction Company, Inc.

Contract Award Date: January 28, 2010

Project Budget: \$9,730,789

Funding Source(s): Internal R&R; Indirect cost/research; Federal Funds (6C76HF09730)

15. UM– IHL 207-320 – Mississippi Small Business Development Center

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #4** in the amount of \$1,598.00 and zero (0) additional days to the contract of Murphy & Sons, Inc.

Staff Approval Date: November 2, 2010

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
REAL ESTATE
JANUARY 20, 2010
Page 12 of 24**

Change Order Justification: **Change Order #4** is necessary disconnect switch power for screen at west wall of conference Room 122, purchase one 70"X70" draper silhouette/series E screen with standard 3-button switch and standard 110-120 volt ac motor, and to install TV outlet in Lobby 101.

Total Project Change Orders and Amount: Four (4) change orders for a total amount of \$133,802.00

Project Initiation Date: February 19, 2009

Design Professional: The McCarty Company

General Contractor: Murphy & Sons, Inc.

Contract Award Date: December 16, 2009

Project Budget: \$2,000,000

Funding Source(s): US Congress Grant #SBAHQ-06-I-0032

16. UM – IHL 207-321 – North Residential College – Bid Package A

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #7** in the amount of \$2,713.77 and one hundred thirty-seven (137) additional days to the contract of M&N Excavators, Inc.

Staff Approval Date: November 29, 2010

Change Order Justification: **Change Order #7** is necessary to install header curb and repair asphalt at Sorority Row parking lot.

Total Project Change Orders and Amount: Seven (7) change orders for a total amount of \$48,880.81

Project Initiation Date: March 19, 2009

Design Professional: Cooke Douglass Farr Lemons, Ltd and Eley & Associates, a Joint Venture

General Contractor: M & N Excavators, Inc

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
REAL ESTATE
JANUARY 20, 2010
Page 13 of 24**

Contract Award Date: September 4, 2009

Project Budget: \$25,000,000

Funding Source(s): Educational Building Corporation (EBC) Bonds (\$14,700,000);
Internal R&R (\$5,700,000); Private Gifts (\$4,600,000)

17. UM – IHL 207-321 – North Residential College – Bid Package G

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #7** in the amount of \$7,410.00 and one hundred sixty-seven (167) additional days to the contract of Clinton Interiors.

Staff Approval Date: November 17, 2010

Change Order Justification: **Change Order #7** is necessary to furnish and install island in kitchen 132 not shown on plans, and to replace column cover at lounge required to match granite size for seats.

Total Project Change Orders and Amount: Seven (7) change orders for a total amount of (\$32,386.71)

Project Initiation Date: March 19, 2009

Design Professional: Cooke Douglass Farr Lemons, Ltd and Eley & Associates, a Joint Venture

General Contractor: Clinton Interiors

Contract Award Date: September 4, 2009

Project Budget: \$25,000,000

Funding Source(s): Educational Building Corporation (EBC) Bonds (\$14,700,000);
Internal R&R (\$5,700,000); Private Gifts (\$4,600,000)

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
REAL ESTATE
JANUARY 20, 2010
Page 14 of 24**

18. UM – IHL 207-321 – North Residential College – Bid Package I

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #4** in the amount of \$5,850.00 and one hundred thirty-six (136) additional days to the contract of Craft Croswell, Inc.

Staff Approval Date: November 29, 2010

Change Order Justification: **Change Order #4** is necessary to correct floor transition at walk-in freezer and walk-in cooler. The difference in elevation requires a large portion of the floors to gradually incline to the elevation of the cooler.

Total Project Change Orders and Amount: Four (4) change orders for a total amount of \$22,433.00.

Project Initiation Date: March 19, 2009

Design Professional: Cooke Douglass Farr Lemons, Ltd and Eley & Associates, a Joint Venture

General Contractor: Craft Croswell, Inc.

Contract Award Date: July 1, 2009

Project Budget: \$25,000,000

Funding Source(s): Educational Building Corporation (EBC) Bonds (\$14,700,000); Internal R&R (\$5,700,000); Private Gifts (\$4,600,000)

19. UM – IHL 207-321 – North Residential College – Bid Package L

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #3** in the amount of \$1,839.87 and one hundred thirty-six (136) additional days to the contract of Security Fire Protection Company, Inc.

Staff Approval Date: November 29, 2010

Change Order Justification: **Change Order #3** is necessary to repair sprinkler required due to damage caused by mechanical contractor.

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
REAL ESTATE
JANUARY 20, 2010
Page 15 of 24

Total Project Change Orders and Amount: Three (3) change orders for a total amount of \$19,689.87.

Project Initiation Date: March 19, 2009

Design Professional: Cooke Douglass Farr Lemons, Ltd and Eley & Associates, a Joint Venture

General Contractor: Security Fire Protection Company, Inc.

Contract Award Date: July 1, 2009

Project Budget: \$25,000,000

Funding Source(s): Educational Building Corporation (EBC) Bonds (\$14,700,000); Internal R&R (\$5,700,000); Private Gifts (\$4,600,000)

20. UM – IHL 207-321 – North Residential College – Bid Package M

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #9** in the amount of \$2,148.00 and one hundred thirty-seven (137) additional days to the contract of South Central Heating & Plumbing Co., Inc.

Staff Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #10 for a credit** in the amount of \$1,839.87.00 and zero (0) additional days to the contract of South Central Heating & Plumbing Co., Inc.

Staff Approval Date: November 29, 2010

Change Order Justification: **Change Order #9** is necessary to furnish and install valve boxes in south lawn CHW and HW connection point from CMP piping. **Change Order #10** is necessary to repair sprinkler work required due to damage caused by mechanical contractor.

Total Project Change Orders and Amount: Ten (10) change orders for a total amount of (\$4,070.87).

Project Initiation Date: March 19, 2009

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
REAL ESTATE
JANUARY 20, 2010
Page 16 of 24**

Design Professional: Cooke Douglass Farr Lemons, Ltd and Eley & Associates, a Joint Venture

General Contractor: South Central Heating & Plumbing Co. Inc.

Contract Award Date: July 1, 2009

Project Budget: \$25,000,000

Funding Source(s): Educational Building Corporation (EBC) Bonds (\$14,700,000); Internal R&R (\$5,700,000); Private Gifts (\$4,600,000)

21. UM – IHL 207-321 – North Residential College – Bid Package N

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #14** in the amount of \$11,125.00 and one hundred twenty-eight (128) additional days to the contract of Advance Electric Co., Inc.

Staff Approval Date: November 30, 2010

Change Order Justification: **Change Order #14** is necessary to furnish and install down lighting at the Frank R. Day Memorial Statue.

Total Project Change Orders and Amount: Fourteen (14) change orders for a total amount of \$148,588.25

Project Initiation Date: March 19, 2009

Design Professional: Cooke Douglass Farr Lemons, Ltd and Eley & Associates, a Joint Venture

General Contractor: Advance Electric Co., Inc.

Contract Award Date: July 1, 2009

Project Budget: \$25,000,000

Funding Source(s): Educational Building Corporation (EBC) Bonds (\$14,700,000); Internal R&R (\$5,700,000); Private Gifts (\$4,600,000)

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
REAL ESTATE
JANUARY 20, 2010
Page 17 of 24**

22. UMMC – IHL 209-510 – Guyton Contract III Renovations

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #1** in the amount of \$14,048.00 and fifteen (15) additional days to the contract of Evan Johnson & Sons Construction, Inc.

Staff Approval Date: November 5, 2010

Change Order Justification: **Change Order #1** is necessary to latent conditions that were not discoverable prior to project demolition or interior wall layouts being established.

Total Project Change Orders and Amount: One (1) change order for a total amount of \$14,048.00

Project Initiation Date: June 17, 2008

Design Professional: Simmons Associates/Eley Associates-A Joint Venture

General Contractor: Evan Johnson & Sons Construction, Inc.

Contract Award Date: February 10, 2010

Project Budget: \$16,500,000

Funding Source(s): Interest Income/MC EBC

23. UMMC – IHL 209-518 – 5 East Renovations

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #1** in the amount of \$31,879.20 and forty-nine (49) additional days to the contract of Fountain Construction Company.

Staff Approval Date: October 19, 2010

Change Order Justification: **Change Order #1** is necessary to remove the entire dumbwaiter system and framework in order to capture the floor space required by the project design. Also, the additional asbestos materials had to be included as a second phased removal prior to new construction activities progressing further.

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
REAL ESTATE
JANUARY 20, 2010
Page 18 of 24

Total Project Change Orders and Amount: One (1) change order for a total amount of \$31,879.20

Project Initiation Date: January 15, 2009

Design Professional: Dale Morris Architects

General Contractor: Fountain Construction Company

Contract Award Date: March 16, 2010

Project Budget: \$3,395,515

Funding Source(s): Tuition/Indirect Cost Recoveries

24. UMMC – IHL 209-521 – Pediatric ICU Renovations

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #4** in the amount of \$16,828.00 and eighteen (18) additional days to the contract of Fountain Construction Company.

Staff Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #5** in the amount of \$34,062.00 and forty-two (42) additional days to the contract of Fountain Construction Company.

Staff Approval Date: November 5, 2010

Change Order Justification: **Change Order #4** is necessary to address miscellaneous Owner/User requested and latent items per professional's cover letter. Revisions include reception desk, addition of modular shower at waiting area, adding rough ins for ceiling mounted TV and projector at waiting and conference room. **Change Order #5** is necessary to address relocation of central monitors to physicians work area, rough in for TV to be added to conference room, revision to door glazing size as well as latent condition and errors.

Total Project Change Orders and Amount: Five (5) change orders for a total amount of \$93,858.00

Project Initiation Date: March 19, 2009

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
REAL ESTATE
JANUARY 20, 2010
Page 19 of 24

Design Professional: The McCarty Co., Design Group

General Contractor: Fountain Construction Company

Contract Award Date: December 2, 2009

Project Budget: \$3,122,978

Funding Source(s): Hospital Patient Revenues

25. UMMC – IHL 209-523 – S013 Renovations

Staff Approval #1: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #2** in the amount of \$53,908.60 and eight (8) additional days to the contract of Mid State Construction.

Staff Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #3 for a credit** in the amount of (\$12,222.02) and seventeen (17) additional days to the contract of Mid State Construction.

Staff Approval #2: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #4** in the amount of \$171,699.70 and fifty (50) additional days to the contract of Mid State Construction.

Staff Approval Date: (#1) November 5, 2010; (#2-3) November 11, 2010

Change Order Justification: **Change Order #2** is necessary due to equipment required and latent conditions requiring adjustments such as the addition of radiation monitors in scan room, additional phone jacks in control room, sink added to supply room and adjustments requirement of Owner's equipment vendor. **Change Order #3** is necessary to address millwork revision that includes revising interior core components to industrial grade particle board melamine as well as replacing fire ext. cabinet types and install additional steel plates for equipment vendor. **Change Order #4** is necessary to address the installation of additional shielding along the east wall of new scan room above new ceiling and also along new adjacent west wall. Installation in corridor area requires demolition newly installed gyp board partition, relocation of electrical conduits, and ductwork in order to install the high density concrete blocks and then rebuild the gyp board wall to conceal the protective layers.

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
REAL ESTATE
JANUARY 20, 2010
Page 20 of 24

Total Project Change Orders and Amount: Five (5) change orders for a total amount of \$231,527.88

Project Initiation Date: August 20, 2009

Design Professional: Simmons Associates, AIA

General Contractor: Mid State Construction

Contract Award Date: January 11, 2010

Project Budget: \$1,947,239

Funding Source(s): Hospital Patient Revenues

26. UMMC – IHL 209-532 – Cardiovascular Renovations

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Design Development Documents** as submitted by Cooke Douglass Farr Lemons, design professional.

Staff Approval Date: November 29, 2010

Project Initiation Date: February 18, 2010

Design Professional: Cooke Douglass Farr Lemons

General Contractor: N/A

Contract Award Date: N/A

Project Budget: \$17,182,052

Funding Source(s): MC EBC

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
REAL ESTATE
JANUARY 20, 2010
Page 21 of 24**

27. UMMC – IHL 209-535 – Learning Resources Renovations 2010

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Contract Documents** as submitted by Cooke Douglass Farr Lemons, design professional.

Staff Approval Date: November 11, 2010

Project Initiation Date: April 15, 2010

Design Professional: Cooke Douglass Farr Lemons

General Contractor: N/A

Contract Award Date: N/A

Project Budget: \$2,850,000

Funding Source(s): MC EBC (\$2,000,000); Interest Income (\$850,000)

28. USM– GS 108-260 – Residence Halls Sprinkler Systems

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Schematic Design Documents** as submitted by Atherton Consulting Engineers, Inc., design professional. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: October 21, 2010

Project Initiation Date: June 18, 2009

Design Professional: Atherton Consulting Engineers, Inc.

General Contractor: N/A

Contract Award Date: N/A

Project Budget: \$2,000,000

Funding Source(s): HB 1722, Laws of 2009

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
REAL ESTATE
JANUARY 20, 2010
Page 22 of 24

29. USM – IHL 208-267 – Dormitory Replacement, Hattiesburg

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #8** in the amount of \$37,302.00 and zero (0) additional days to the contract of W.G. Yates & Sons Construction Company.

Staff Approval Date: October 25, 2010

Change Order Justification: **Change Order #8** is necessary to provide for thermoplastic striping and warning signs on 4th Street crossing, additional work requested with regard to the installation of the Code Blue Phones, modification of the shelving standards in three of the RA Suites that were originally designed for handicap use, relocation of power to the outside of the secure spaces in the physical plant building and to provide a terminated data cable to this location for connection to the irrigation system, providing of one additional concrete light pole standard on the south side of 4th Street, install ADA required warning pavers on the 4th Street crosswalk, addition of sump pumps and drains in elevator shafts, and additional Robe Hooks.

Total Project Change Orders and Amount: Eight (8) change orders for a total amount of (\$263,989.00)

Project Initiation Date: March 14, 2007

Design Professional: Landry & Lewis Architects, P.A.

General Contractor: W.G. Yates & Sons Construction Company

Contract Award Date: November 12, 2008

Project Budget: \$45,000,000

Funding Source(s): USM EBC Bond Funds

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
REAL ESTATE
JANUARY 20, 2010
Page 23 of 24**

30. USM – IHL 208-267-A – Dormitory Replacement Phase I, Hattiesburg and The Learning Center

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #3** in the amount of \$3,823.00 and zero (0) additional days to the contract of W.G. Yates & Sons Construction Company.

Staff Approval Date: November 15, 2010

Change Order Justification: **Change Order #3** is necessary to provide data outlets at projector locations in the three classrooms located in the Learning Center and to add independent lighting switches in these classrooms to allow the users independent control over the passive infrared sensors required by the contract.

Total Project Change Orders and Amount: Three (3) change orders for a total amount of \$12,838.00

Project Initiation Date: March 14, 2007

Design Professional: Landry & Lewis Architects, P.A.

General Contractor: W.G. Yates & Sons Construction Company

Contract Award Date: November 12, 2008

Project Budget: \$45,000,000

Funding Source(s): USM EBC Bond Funds

31. Education & Research Center – GS 111-044 – Mechanical Modifications Program

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved the award of contract to Upchurch Plumbing, Inc., the lower of eight (8) bidders, for a total contract amount of \$3,017,000.00. Approval is requested from the Bureau of Building, Grounds, and Real Property.

Staff Approval Date: November 12, 2010

Project Initiation Date: N/A

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
REAL ESTATE
JANUARY 20, 2010
Page 24 of 24

Design Professional: Atherton Consulting Engineers, Inc.

General Contractor: Upchurch Plumbing, Inc.

Contract Award Date: November 12, 2010

Project Budget: \$3,500,000

Funding Source(s): HB 246, Laws of 2007 (\$2,500,000); HB 1641, Laws of 2008 (\$500,000); HB 1722, Laws of 2009 (\$500,000)

32. Education & Research Center – GS 111-047 – (ARRA) ECM R&D Center

Staff Approval: In accordance with Board Policy §904 (A) Board Approval, Board staff approved **Change Order #1** in the amount of \$19,987.00 and zero (0) additional days to the contract of Metro Mechanical, Inc.

Staff Approval Date: October 25, 2010

Change Order Justification: **Change Order #1** is necessary to provide a new underground gas piping line to new generator.

Total Project Change Orders and Amount: One (1) change order for a total amount of \$9,987.00

Project Initiation Date: N/A

Design Professional: Atherton Consulting Engineers, Inc.

General Contractor: Metro Mechanical, Inc.

Contract Award Date: August 18, 2010

Project Budget: \$750,000

Funding Source(s): ARRA Funds (\$750,000)

**BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
LEGAL
JANUARY 20, 2011
PAGE 1 OF 5**

SYSTEM - REPORT OF PAYMENTS TO OUTSIDE COUNSEL

Legal fees approved for payment to outside counsel in relation to litigation and other matters:

Payment of legal fees for professional services rendered by David Ware & Associates (statements dated 10/1/10, 11/1/10 and 12/1/10) from the funds of Mississippi State University. (These statements, in the amounts of \$23.41, \$24.74 and \$118.70, respectively, represent services and expenses in connection with labor certifications.)

TOTAL DUE.....\$ 166.85

Payment of legal fees for professional services rendered by Butler, Snow, O'Mara, Stevens & Cannada (statements dated 10/6/10 and 10/21/10) from the funds of the University of Mississippi Medical Center. (These statements represent services and expenses in connection with *Jackson HMA LLC vs. UMMC* - \$28,610.86, General Rep. of the Medical School and Facility Practice Plans-UMMC North Clinic - \$838.50 and General Advice-UMMC North Clinic - \$2,592.50, respectively.)

TOTAL DUE.....\$ 32,041.86

Payment of legal fees for professional services rendered by John Kitchens, Esq. (statements dated 6/30/10, 6/30/10, 6/30/10, 8/31/10, 8/31/10, 8/31/10 and 8/31/10) from the funds of the University of Mississippi Medical Center. (These statements represent services and expenses in connection with the cases styled *Kermode* (Federal Case) - \$967.90; *Smith* - \$2,970.00; *Jaralah* - \$1,053.50; *Jaralah* - \$795.50; *Kermode* (Federal Case) - \$4,790.46; *Kermode* - \$1,336.50 and *Williams*- \$14,145.00, respectively.)

TOTAL DUE.....\$ 26,058.86

Payment of legal fees for professional services rendered by Ogletree, Deakins, Nash, Smoak & Stewart (statements dated 9/10/10 and 10/13/10) from the funds of the University of Mississippi Medical Center. (These statements, in the amounts of \$183.70 and \$16.50, respectively, represent services and expenses in connection with the *Bernard v. UMMC* case.)

TOTAL DUE.....\$ 200.20

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
LEGAL
JANUARY 20, 2011
PAGE 2 OF 5

Payment of legal fees for professional services rendered by Bryan Nelson, P.A. (statements dated 1/12/09, 10/12/09, 4/9/10, 7/8/10, 7/8/10 and 10/5/10) from the funds of the University of Southern Mississippi. (These statements, in the amounts of \$205.40, \$350.00, \$517.50, \$35.00, \$175.45 and \$1,184.64, respectively, represent services and expenses in connection with the *Krell vs. USM* case.)

TOTAL DUE.....\$ 2,467.99

Legal fees approved for payment to outside counsel in relation to patent and other matters:

Payment of legal fees for professional services rendered by Butler, Snow, O’Mara, Stevens & Cannada (statements dated 10/19/10, 10/19/10, 10/19/10, 10/19/10, 10/19/10,10/19/10, 10/19/10, 10/19/10, 10/19/10, 10/19/10, 10/19/10, 10/19/10, 10/19/10, 11/16/10, 11/16/10, 11/16/10, 11/16/10 and 11/16/10) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: “Compact Time-of-Flight Mass Spectrometer - Canada” - \$409.12; “Compact Time-of-Flight Mass Spectrometer - Germany” - \$2,101.84; “Compact Time-of-Flight Mass Spectrometer - United Kingdom” - \$42.50; “Compact Time-of-Flight Mass Spectrometer - Japan” - \$51.00; “High Power Density, Full-Bridge Parallel Loaded Resonant DC-DC Converter for Low-Voltage, High-Current Applications” - \$3,975.66; “Methods of Preparation of Live Attenuated Bacterial Vaccines” - \$1,250.00; “Delivery System for Supplemental Wood Preservatives” - \$515.50; “Aflotoxin Detection in Corn” - \$430.00; “Alcohol Esterification (Condensor Train)” - \$5,568.00; “Alcohol Esterification (Condensor Train)” - \$2,566.00; “Esterification and Bio Oil Upgrading” - \$4,448.00; “Esterification and Bio Oil Upgrading” - \$3,354.50; “Srinivasan-Elusieve Processing CIP Application” - \$42.50; “Compact Time-of-Flight Mass Spectrometer - Japan” - \$408.53; “Alcohol Esterification (Condensor Train)” - \$1,142.50; “Alcohol Esterification (Condensor Train)” - \$670.00; “Esterification and Bio Oil Upgrading” - \$1,100.00 and “High Power Density, Full-Bridget Parallel Loaded Resonant DC-DC Converter for Low-Voltage, High-Current Applications” - \$60.00, respectively.)

TOTAL DUE.....\$ 28,135.65

Payment of legal fees for professional services rendered by Larry Schemmel (statements dated 11/1/10) from the funds of Mississippi State University. (These statements represent services and expenses in connection with the following patents: “Plant Patent- St. Augustine Grass Cultivers” - \$297.50; “Self-Aligned Methods Low Temp Selective” - \$488.75; “Temporal Mapping and Analysis” - \$786.25; “Remote Sensing Imagery Accuracy and Analysis” - \$510.00; “Change Analyst” - \$1,001.25; “Fischer-Tropsch Catalysts and Process for Liquid” - \$2,210.00; “Patent Functional Enhancement of Antimicrobials” - \$21.25; “Small Peptide Induction Technology” - \$365.00; “Crape

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
LEGAL
JANUARY 20, 2011
PAGE 3 OF 5

Myrtle Plant Patent” - \$3,655.00; “Delta Jazz Trademark”- \$2,443.75; “Giant Micanthus Provisional Plant Patent” - \$871.25; “Giant Micanthus Provisional Plant Patent” - \$701.25; “Buckscore” - \$1,360.00; “Buckscore.com” - \$1,408.75; “Diethylene Tricarbamide and Diethylene Tricarbamide-Formaldehyde Condensation Resins” - \$170.00; “System and Method for Recharging Batteries” - \$550.00; “System and Method for Recharging Rechargeable Batteries” - \$170.00; “Buckscore Software Patent” - \$21.25; “Oral Catfish Vaccine Method of Delivery” - \$42.50; “Occidiofungin, a Unique Anti-fungal Glycopeptide Produced by a Strain of Burkholderia Contaminans” - \$2,635.00; “Interactive Parallel Coordinates with Multiple Regression” - \$295.00; “Occidiofungin, a Unique Anti-fungal Glycopeptide PCT Application” - \$4,838.75; “Remote Sensing Imagery Accuracy Analysis Method and Apparatus Divisional Application” - \$2,408.75; “Method to Tutor Using Textbooks” - \$2,040.00 and “Method of Identification of Genes Pertaining to Resistance of Glycine Max (Soybean) to Parasitic Nemoatodes Heterodera Glycine” - \$595.00, respectively .)

TOTAL DUE.....\$ 29,886.25

Payment of legal fees for professional services rendered by Larry Schemmel (statements dated 11/1/10) from the funds of Mississippi State University. (These statements, in the amounts of \$510.00, \$191.25 and \$701.25 represent services and expenses in connection with trademark matters.)

TOTAL DUE.....\$ 1,402.50

Payment of legal fees for professional services rendered by Butler, Snow, O’Mara, Stevens & Cannada (statements dated 9/15/10, 9/27/10 and 9/27/10) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: “Chick Separation-Anxiety-Depression (SAD)” - \$1,734.45; “Utilizing Tactile Speech Feedback for Stuttering and Other Speech/Fluency/Motor Initiation Disorders” - \$17.00 and “Complexes and Compounds for Light Emitting Applications” - \$17.00, respectively.)

TOTAL DUE.....\$ 1,768.45

Payment of legal fees for professional services rendered by Hershkovitz & Associates (statements dated 1/4/10, 4/9/10, 4/29/10, 5/18/10, 5/18/10, 6/25/10, 8/31/10, 8/31/10, 8/31/10, 9/30/10, 9/30/10, 9/30/10, 9/30/10, 10/26/10 and 10/27/10) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: “Compositions Containing Delta-9-THC Amino Acid Esters and Process of Preparation” - \$4,749.01; “High Molecular Weight Polysaccharide from Aloe Vera with Immunostimulatory Activity” - \$694.00; “Potent Immunostimulants from Microalgae” - \$694.00; “Dihydroartemisinin and Dihydroartemisitene Dimers as Anti-Cancer and Anti-Infective Agents” - \$119.00;

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
LEGAL
JANUARY 20, 2011
PAGE 4 OF 5

“Dihydroartemisinin and Dihydroartemisitene Dimers as Anti-Cancer and Anti-Infective Agents” - \$163.00; “High Molecular Weight Polysaccharide from Aloe Vera with Immunostimulatory Activity” - \$1,713.45; “Canada - Transmucosal Delivery of Cannabinoids” - \$129.25; “Potent Immunostimulatory Component in Micro Algae Extract” - \$525.50; “Europe - Design and Synthesis of Optimized Ligands for PPAR” - \$727.65; “Potent Immunostimulatory Extracts from Microalgae” - \$6,527.60; “Novel Sigma Receptor Antagonists” - \$942.00; “Design and Synthesis of Optimized Ligands for PPAR” - \$131.25; “Method of Preparing Delta-9-Tetrahydrocannabinol” - \$770.25; “Compositions for the Prevention/Prophylactic Treatment of Poison Ivy Dermatitis” - \$3,554.75 and “Compositions for the Prevention/Prophylactic Treatment of Poison Ivy Dermatitis” - \$1,525.00, respectively.)

TOTAL DUE.....\$ 22,965.71

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 6/25/10, 6/25/10, 6/25/10, 6/25/10, 6/25/10, 6/25/10, 6/25/10, 6/25/10, 6/25/10, 6/25/10, 6/25/10, 9/27/10, 9/27/10, 9/27/10, 9/27/10, 9/27/10, 9/27/10, 9/27/10, 9/27/10, 9/27/10, 10/20/10, 10/20/10, 10/20/10, 10/20/10, 10/20/10, 10/20/10, 10/20/10, 10/20/10, 10/20/10, 10/20/10, 10/20/10, 10/20/10 and 10/20/10) from the funds of the University of Mississippi. (These statements represent services and expenses in connection with the following patents: “In-Furnace Reduction of Nitrogen Oxide by a Biomass Derivative” - \$744.00; “Australia - Highly Purified Amphotericin-B” - \$200.26; “Canada - Highly Purified Amphotericin-B” - \$1,033.45; “Multi-Domain Plate Acoustic Wave Devices” - \$2,692.50; “Mexico - High-Speed Data Compression Based on Set Associative Cache Mapping Techniques” - \$96.00; “India - High-Speed Data Compression Based on Set-Associative Cache Mapping Techniques” - \$335.00; “High-Speed Data Compression Based on Set-Associative Cache Mapping Techniques” - \$150.00; “Canada - Delivery of Medicaments to the Nail and Perionychium via ‘Etching’” - \$1,657.89; “Delivery of Medicaments to the Nail and Perionychium via ‘Etching’” - \$5,692.00; “Canada - Stabilized Formulation of Triamcinolone Acetonide” - \$271.82; “Europe - Stabilized Formulation of Triamcinolone Acetonide” - \$1,074.65; “Stabilized Formulation of Triamcinolone Acetonide” - \$1,765.50; “Multi-Domain Plate Acoustic Wave Devices” - \$652.50; “Mexico - High-Speed Data Compression Based on Set-Associative Cache Mapping Techniques” - \$665.20; “Australia - High-Speed Data Compression Based on Set-Associative Cache Mapping Techniques” - \$1,322.33; “In-Furnace Reduction of Nitrogen Oxide by a Biomass Derivative” - \$403.00; “Highly Purified Amphotericin-B” - \$1,011.00; “Japan - Highly Purified Amphotericin-B” - \$806.00; “Delivery of Medicaments to the Nail and Perionychium via ‘Etching’” - \$961.00; “Europe - High-Speed Data Compression Based on Set Associative Cache Mapping Techniques” - \$672.00; “Australia - Highly Purified Amphotericin-B” - \$350.00; “Canada - Highly Purified Amphotericin-B” - \$350.00; “Germany - Highly Purified Amphotericin-B” - \$350.00; “France - Highly Purified Amphotericin-B” - \$350.00; “Ireland - Highly Purified Amphotericin-B” - \$350.00; “Japan - Highly Purified Amphotericin-B” - \$1,612.60” - “General Patent Matters” - \$0.00; “Australia - High-Speed Data Compression Based on Set Associative Cache Mapping Techniques” - \$96.00;

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
LEGAL
JANUARY 20, 2011
PAGE 5 OF 5

“Europe - High-Speed Data Compression Based on Set Associative Cache Mapping Techniques” - \$1,414.30; “Korea - High-Speed Data Compression Based on Set Associative Cache Mapping Techniques” - \$104.50; “Mexico - High-Speed Data Compression Based on Set Associative Cache Mapping Techniques” - \$40.50; “Canada - Delivery of Medicaments to the Nail and Perionychium via (Etching)” - \$404.00 and “A Corrugated and Ported Prism Engine Nozzle for Reduction of Supersonic Jet Exhaust Noise” - \$350.00, respectively.)

TOTAL DUE.....\$ 28,328.00

Payment of legal fees for professional services rendered by Stites & Harbison (statements dated 8/27/10 and 9/27/10) from the funds of the University of Mississippi Medical Center. (These statements represent services and expenses in connection with the following patents:

“Abell/Temporary Mucosal Gastric Electric Stimulation Device and Method for Treating Gastroparesis” - \$1,208.10; “Abell/CIP/System for Diagnosis and Prediction of Therapy for Nutritional and Metabolic Disorders” - \$6,277.72; “O’Callaghan/Cholesterol Treatment of S. Aureus Keratitis” - \$93.00; “Raucher/Australia/Thermally Targeted Delivery of Medicaments including Doxorubicin” - \$202.46; “Abell/Temporary Mucosal Gastric Electrical Stimulation Device and Method for Treating Gastroparesis” - \$2,318.00; Abell/CIP/System for Diagnosis and Prediction of Therapy for Nutritional and Metabolic Disorders” - \$1,015.50; Abell/Miniature Wireless Gastric Electric Stimulators” - \$122.00; “Raucher/Targeted Delivery of Therapeutic Peptides by Thermally Responsive Polymers” - \$172.16; “Raucher/Modular Thermally Targeted Biopolymers for Drug Delivery” - \$87.90; “Raucher/Inhibition of Cancer Metastasis by Cell Penetrating Peptides” - \$27.04; “Abell/Temporary Mucosal Gastric Electric Stimulation Device and Method for Treating Gastroparesis” - \$460.00; “Abell/CIP/System for Diagnosis and Prediction of Therapy for Nutritional and Metabolic Disorders” - \$183.00; “Eishamy/Novel Breast, Ovarian BRCA-1-Iris” - \$2,431.14; “General” - \$390.50; “Raucher/Targeted Delivery of Therapeutic Peptides by Thermally Responsive Polymers” - \$366.94; “Raucher/Inhibition of Cancer Metastasis by Cell Penetrating Peptides” - \$202.50; “Vig/Therapeutic Use of Dopamine D2 Receptor” - \$40.50 and “Vig/Thermally Targeted Delivery of Therapeutic Peptides to the Cerebellum” - \$87.90, respectively.)

TOTAL DUE.....\$ 15,686.36

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
ADMINISTRATION/POLICY
January 20, 2011
Page 1 of 4

1. SYSTEM – COMMISSIONER’S NOTIFICATION OF APPROVAL

The following items have been approved by the Commissioner on behalf of the Board and are available for inspection in the Board Office.

- A. **MSU** – On November 23, 2010, approval was granted for MSU to lease the Kress Building located in Meridian Mississippi to the Mississippi State University Foundation, Inc. (MSUF). The purpose of the building lease would be to allow the MSUF to renovate (solely at their cost) the Kress Building. The Kress Building was donated to the university by the City of Meridian in April 2010 and presently sits unoccupied in need of significant renovation. Once renovated the lease agreement would be terminated and sole interest would revert back to the university. The university will use the renovated building to house the MSU-Meridian division’s School of Business. The MSUF will pay the university a nominal lease fee of \$1 in return for the building lease. All renovation costs will be paid by the foundation, with MSU not having to make any payments. All improvements made to and on the premises shall be owned “free and clear” in fee simple by the university once the lease terminates. The foundation has received approximately \$5.9 million in private donations to fund the renovations. The Attorney General’s staff has reviewed and approved the contract documents. Approval authority is granted to the Commissioner via Board Policy 707.01 Land, Property and Service Contracts.

- B. **MSU** – On November 23, 2010, approval was granted for MSU’s Research and Curriculum Unit (RCU) to lease office space from Koinonia Investments, LLC. The office space is located in Starkville, MS adjacent to the main RCU facility. The lease agreement will expire on June 30, 2011. MSU has the option to extend the agreement an additional 12 months with no change in financial terms. MSU will pay the vendor \$1,375 per month for one unit of office space. This equates to \$9,625 of lease cost to the university in FY 2011, with an additional \$16,500 in rental costs if the 12-month option is exercised (for FY2012). In addition to these rental costs, the university will be responsible for all utilities (less water), janitorial and garbage services. The Attorney General’s staff has reviewed and approved the contract documents. Approval authority is granted to the Commissioner via Board Policy 707.01 Land, Property and Service Contracts.

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
ADMINISTRATION/POLICY
January 20, 2011
Page 2 of 4

- C. **UMMC** - As part of the reaccreditation process for SACS, The University of Mississippi Medical Center made revisions to its mission statement (previously known as Statement of Purpose) in order that it may be current and aligned with the University of Mississippi mission statement. The edits include the removal of historical language not related to the mission; and updating the statement to reflect minor revisions made by the University of Mississippi to the mission statement in 2008. The revised mission statement is shown below.

University of Mississippi Medical Center Mission Statement

~~The 1950 Mississippi Legislature enlarged and strengthened health professions education in Mississippi by enacting bills to establish and construct the Medical Center in Jackson as part of the University of Mississippi. The School of Medicine and graduate program enrolled students in 1955; the School of Nursing moved from the parent campus to Jackson in 1956; the School of Health Related Professions was established in 1971; and the School of Dentistry admitted its first class in 1975.~~

The University of Mississippi Medical Center unites the interrelated activities of education in the health sciences and accepts responsibility for teaching, research, service and leadership in this field. Its programs embrace training for physicians, dentists, nurses, and allied health professionals ~~related members of the health team~~; graduate medical education, graduate dental education, and graduate study in the health sciences; and the delivery of health care in the teaching hospitals and clinics. The Medical Center offers equal opportunity in all its programs and services regardless of race, creed, sex, color, religion, marital status, sexual orientation, age, national origin, disability or veteran.

~~The parent campus, the University of Mississippi chartered in 1844, has five areas of focus in its current Statement of Purpose. One of these is health. "The University will continue to provide the professional education of those who deliver and administer human health services and those who perform research aimed at improving the efficiency, the effectiveness, quality, and availability of health care...." exists to enhance the educational, economic, healthcare, social and cultural foundations of the state, region, and nation. Within this framework, the Medical Center's principal and continuing purpose mission is to accomplish the interrelated goals of health professional education—train health care professionals at the first professional, graduate, and postgraduate levels for Mississippi; to teach in a superior manner the art and science of health care to students of exceptional promise and talent; to provide high quality treatment for all patients using the disciplines and specialties of modern health care; to lead the way to discoveries~~

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
ADMINISTRATION/POLICY
January 20, 2011
Page 3 of 4

~~which will raise the health level of Mississippians and, indeed, all mankind; to foster dedication to life long learning; to respond to community needs through continuing education and outreach programs that extend beyond the campus; and to recruit and retain the caliber of faculty necessary to meet these goals. The Medical Center fosters and protects a an intellectual, emotional and challenging learning environment conducive to educational excellence in the health sciences, cutting-edge biomedical research to expand the body of basic and applied knowledge, productive scientific investigation and exemplary patient care that moves toward the ultimate goals of elimination of health disparities and improved health and well-being for the citizens of Mississippi, the region, the nation and the world.~~

~~As Mississippi's population is culturally diverse. Most Mississippians trace their ancestral roots to the British Isles, the continent of Europe or the continent of Africa. The state also has many citizens of American Indian, Asian or Pacific Islander and Hispanic descent. In policy and practice, the institution encourages and actively recruits applicants from all segments of the state's population. The Medical Center is committed to maintaining an educational environment that fosters respect for and sensitivity to individual differences; promotes personal and professional development; and gives all students the opportunity to succeed, regardless of ethnicity, gender, sexual orientation, age, creed, national origin or socioeconomic status.~~

Medical Center graduates at all levels are expected to possess and to demonstrate the skills and knowledge necessary to practice their disciplines as competent health professionals. The Medical Center regularly uses appropriate external and internal measurement tools to assess the institution's effectiveness in training health professionals for Mississippi and to evaluate its programs for patient care, research, continuing education and outreach.

The expeditious growth of the Medical Center into a major academic health sciences center reflects the deep commitment of the State of Mississippi, the Board of Trustees of State Institutions of Higher Learning and the administration and faculty of the University of Mississippi Medical Center to the continuing fulfillment of this ~~Statement of Purpose~~ mission.

- D. **USM** – In compliance with Board Policy 701.06 Budget Escalations and Revisions, all revisions to the annual budgets which do not increase the total amount of the budgets must be approved by the Commissioner prior to implementation and subsequently reported to the Board. On November 8, 2010, the Commissioner approved the budget revisions for three University of Southern

BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING
INFORMATION AGENDA
ADMINISTRATION/POLICY
January 20, 2011
Page 4 of 4

Mississippi budgets: On Campus (Hattiesburg), Off Campus (Gulf Coast), and the Mississippi Polymer Institute. The budget revisions contain no increases in the total budgets but rather reallocations amongst individual expense categories.

2. SYSTEM – INDIVIDUAL TO SERVE ON THE MISSISSIPPI UNIVERSITY RESEARCH AUTHORITY (MURA) IN ACCORDANCE WITH THE MISSISSIPPI UNIVERSITY RESEARCH AUTHORITY ACT AND THE MURA BY-LAWS

Dr. Jim Borsig
Associate Commissioner of External Relations and
Public Policy
Mississippi Institutions of Higher Learning
3825 Ridgewood Road
Jackson, Mississippi 39211

Dr. Borsig will fill the vacancy of Dr. Phil Pepper as president of the MURA board. Dr. Borsig will also represent Dr. Bounds who is an Ex Officio, non-voting member as Commissioner of Higher Education.

The term is for one fiscal year and will end June 30, 2011.

3. ASU – NOTICE OF TERMINATION OF CONSULTING CONTRACT

Richard Green, Interim Provost/Vice President for Academic Affairs was engaged as an independent contractor via an agreement between ASU and Registry for College and University Presidents on July 29, 2009. This agreement is being terminated effective upon ASU providing the required thirty (30) day notice of termination.